

Technical Review of Approved Document B of the Building Regulations.

A Call for Evidence



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Scope of the Call for Evidence

Topic of this consultation:	This Call for Evidence seeks views on the future technical guidance contained within Approved Document B (Fire Safety) The proposal is in line with the Secretary of State's commitment to conducting a full-scale review of the guidelines commencing in the Autumn. This statement was made on 19 July 2018.
Scope of this consultation:	Statutory Guidance
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 consultation will last for 10 weeks from 18 December 2018 until 01 March 2019.
Enquiries:	For any enquiries about the consultation please contact The MHCLG Building Regulations team by emailing: ADBconsultation@communities.gov.uk
How to respond:	We ask that you complete the pro formas in <i>How to Respond (Annex A)</i> , found at www.gov.uk/government/consultations/technical-review-of-approved-document-b-of-the-building-regulations-a-call-for-evidence Additional information or evidence can be provided along with your completed pro forma/s.

You can email your pro forma/s to:

ADBconsultation@communities.gov.uk

Written responses should be sent to:

Call for Evidence: Technical Review of Approved Document B
(Fire Safety)

2 SW, Fry Building, 2 Marsham Street, London, SW1P 4DF

When you reply, it would be 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. On 19 July 2018 the Secretary of State for Housing, Communities and Local Government, the Rt Hon James Brokenshire MP announced a consultation on the clarified Approved Document B (Fire Safety).
2. The Secretary of State also made clear his intent to publish a call for evidence in the autumn inviting views on technical issues and further improvements that could be made in Approved Document B.

“I am clear we will not hesitate to go further than the Hackitt recommendations where we deem it necessary”

“I have also listened to calls from a number of colleagues, experts and organizations that a wider review of Approved Document B is necessary to ensure the guidance reflects innovations in the construction sector and the latest understanding of fire behaviour and protection. With this in mind, I am today announcing the Government will carry out a wider technical review of the guidance on fire safety. We will publish a call for evidence in the autumn inviting views on the technical issues and further improvements that could be made in the Approved Document”

3. This call for evidence is a key first step in the technical review of Approved Document B. It will be used to set the agenda, terms of reference and programme for the review and to identify what research may be needed to inform the review. Whilst fire safety in high rise flats is at the centre of our attention, this review will look at any issues that affect fire safety in all types of building.
4. There are four principal questions that we ask respondents to consider;
 - a) What issues need to be reviewed?
 - b) Why they should be reviewed?
 - c) What evidence already exists?
 - d) What are the potential impacts of changes?
5. In the Key Topics section of this call for evidence we have listed those issues that we have already identified for consideration and inclusion in the review. Respondents are invited to comment on these topics but also to offer other topics for inclusion and to provide evidence to support other suggestions. A final

statement on what topics will be reviewed, and the programme for doing so, will be made after responses to this call for evidence have been considered.

Scope of Review

1. The focus of the review will be the provisions in the Approved Document B. Approved Document B¹ provides statutory guidance on how compliance can be achieved with the functional requirements set out in Paragraphs B1 – B5 of Schedule 1 to the Building Regulations 2010. The guidance in the Approved Document recommends a range of provisions which helps meet one or several of these functional requirements of the Building Regulations. Each provision is recommended as part of a package of measures which forms the overall building strategy. It has been developed to take account of how buildings are used, human behaviour, materials and technologies, and operational response.
2. The review is not intended to cover guidance relating to the provisions of the Fire Safety Order or the Housing Act 2004, particularly in relation to the Housing Health and Safety Rating System (HHSRS); or operational guidance for fire and rescue services on dealing with fire incidents. The Government recognises and accepts Dame Judith Hackitt's diagnosis that the system is complex and needs to be simplified and will consider as we go forward with the review the overlaps or gaps between the different guidance documents.
3. The review does not cover specific requirements for buildings such as hospitals and schools which have their own customised guidance, which will be reviewed separately.
4. The Department for Education (DfE) will be reviewing Building Bulletin 100 – Design for Fire Safety in Schools, (BB100), as part of the wider work across government on fire safety. There will therefore be the opportunity to provide specific evidence relating to schools to DfE when they launch their call for evidence in early 2019.

¹ In accordance with the Building Act 1984, the document is approved by Secretary of State in providing practical guidance with respect to the requirements of the Building Regulations.

Context

5. The Technical Review will be a wide ranging, comprehensive review of the technical recommendations in Approved Document B. In developing this non-exhaustive list of topics for consideration, the Government has drawn on and taken into account a number of pieces of work and programmes underway.
6. The Government has already addressed critical issues in respect of external spread of fire through a ban on the use of combustible materials in the external walls of new buildings over 18 m containing flats, hospitals, residential care homes, dormitories in boarding schools and student accommodation. The regulations and revised guidance implementing the ban were published on 29 November 2018 (The Building (Amendment) Regulations 2018 SI No. 1230)
7. The Government has also published revisions to Approved Document B to restrict the use of assessments in lieu of tests on 18 December 2018 and has issued guidance² on how the performance of fire doors should be assessed through test evidence.
8. Research has been undertaken previously into a number of issues covered in this Call for Evidence. Relevant research reports will be published early in 2019 and will be taken into account alongside responses to this call for evidence.
9. The Grenfell Tower Inquiry may identify issues relevant to the review and the Government will take these into account as the review progresses.
10. The Government is publishing its implementation plan for the Independent Review of Building Regulations and Fire Safety undertaken by Dame Judith Hackitt. Although her review concentrated on issues about the system of building regulations and fire safety as a whole, rather than technical issues, a number of her recommendations are relevant.
11. In particular, Dame Judith Hackitt recommended that industry should take more responsibility for preparing and publishing guidance. The Government is interested in views on what issues could be covered by industry guidance and how best to ensure that this is done in the public interest.

² Circular letter – Fire door tests 31st July 2018

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/731053/Fire_door_tests_circular_letter.pdf

12. Approved Document B includes references to industry best practice guidance, for example those produced by trade associations. The Approved Documents also reference British Standards, which are developed by a panel of experts within BSI technical committees. Compliance with Approved Documents, including the referenced standards, may be relied on as tending to demonstrate compliance with the relevant requirements of Part B. The Government welcomes comments and thoughts on the relation and status of referenced guidance and standards.

13. Dame Judith Hackitt's review also made a number of recommendations about the testing, classification and certification of products. Approved Document B provides guidance on how the performance of fire protection products and systems should be measured (for example in Appendix B). Changes to testing, classification and certification arrangements flowing from the implementation of these recommendations will be taken to account in the review.

Topics for Consideration

14. This section sets out those topics that the department has identified as being candidates for inclusion in the review. Respondents are asked to comment on these issues and to suggest any other issues that should be considered.

Scope of Fire Safety requirements

15. The Building Act 1984 sets the purpose of Building Regulations. The provisions of Part B, and therefore the purpose of Approved Document B relate to securing reasonable standards of health and safety for persons in or about buildings (and any others who may be affected by buildings, or matters connected with buildings). The purposes of Building Regulations do not cover protection of the building itself or the property within it. For non-domestic buildings, there is a view that businesses should be making their own decisions on commercial property protection in conjunction with their insurers. However, for housing there is a question as to whether fire safety measures in Part B should seek to address not only life safety, but also whether a building is sufficiently resilient to fire, for example, by it being constructed in a way that seeks to resist disproportionate loss of housing.
16. There are arguments that the current guidance provided should go further and property protection should be considered in addition to life safety. Including property protection from fire, and therefore avoidance of economic loss, within the scope of Part B would be a significant change and could have a significant impact on the cost effectiveness of some measures. This raises a broader question about the scope of Building Regulations than can be addressed in this technical review, but the Government would welcome evidence on this question.

Purpose groups

17. Purpose groups are used within the Approved Document to set standards for generic types of building. This enables the different risks associated with different types of buildings to be taken into account and appropriate mitigating measures to be provided. Dame Judith Hackitt's report emphasised the importance of a risk assessment approach and that a 'safety case' should be developed for high risk buildings. The purpose group methodology could form part of that approach.

18. Many buildings do not sit well within the purpose group approach and it can cause confusion. British Standard BS 9999³ offers an alternative approach to comply with the functional requirement of Schedule 1 Part B of the Building Regulations 2010 as amended. This guidance document is using risk profiles which can provide a more tailored approach to a wide range of building uses. The use of a BS 9999 risk based approach may however influence the accessibility of the document. The Department's user survey⁴ showed that while just over half of Approved Document B users think the purpose groups in the document are reflective of buildings in England, more agreed than not that Approved Document B should adopt a similar approach to that used in BS 9999. The Government would welcome evidence on the approach to providing guidance for different buildings.

Specialised housing and care homes

19. Sheltered accommodation and residential care homes present a different challenge to fire safety compared to more traditional accommodation. Guidance is already provided in Approved Document B to address these particular issues. The review of Approved Document B could include a review of the guidance provided with regards to these building types.

20. There is a growing trend in providing housing that supports people (including people with significant care needs) to live in their own home for longer. There are benefits of this approach to both individuals and society. Government would not want to see unnecessary burdens placed on housing providers that would adversely affect the supply of such housing. However, this form of housing can present a significant challenge for the existing frameworks that control fire safety, as the combination of property type, occupation and management leads to different fire safety challenges to those posed by either more "traditional" sheltered accommodation or residential care homes. The Government would welcome evidence on fire safety provisions related to keeping people living in their homes for longer.

³ BS 9999 Fire safety in the design, management and use of buildings. Code of practice [2017]

⁴ Usability research: Approved Document B: fire safety and Approved Document M: access to and use of buildings. Ref: ISBN 978-1-4098-5004-5 www.gov.uk/government/publications/usability-research-building-regulations-approved-documents-b-and-m

Compartmentation

21. Approved Document B recommends providing compartmentation to inhibit fire spread between, and within, buildings. For blocks of flats, fire compartmentation inhibits the spread of fire from an individual flat and provides a sufficient level of performance (through the requirements for fire resistance) to enable the fire and rescue service to intervene and deal with the fire.
22. Resistance to fire is specified in time periods that relate to a standard “furnace test”. The period specified for a particular building is based on assumptions about expected fire severity and the consequences of building collapse. Approved Document B sets out minimum periods of fire resistance depending on the intended use of a building and its height. In recent years, more sophisticated approaches to specifying fire resistance have been developed and incorporated in British Standards.
23. Compartmentation is used to subdivide buildings to restrict fire size and fire spread. For non-domestic buildings, Approved Document B sets out maximum compartment sizes which vary with the height and use of the building. Currently, there are no recognised engineering methods for establishing the appropriate compartment size for a particular building.
24. The Government would welcome evidence on the technical issues associated with compartmentation, including whether maximum compartment sizes need to be amended.

Space Separation

25. Requirement B4 of the Building Regulations require that external walls of a building should adequately resist the spread of fire over the walls and from one building to another. Action taken to ban the use of combustible materials will also reduce the risks of fire spread between buildings. Fire resistance is dependent on the buildings relationship to the relevant boundaries of the site. The guidance in Approved Document B provides for some areas of a building to be “unprotected” and have reduced fire protection measures. There are two simple methods for calculating the acceptable amount of unprotected external area – one for small residential buildings and one for others.
26. Modern levels of insulation and consequent higher fire temperatures suggest there may need to be a reduction in the unprotected external area. Further work is necessary to establish a method to predict the extent of external flaming.

Trigger heights and thresholds

27. Trigger heights and thresholds are used throughout the Approved Document and set a point at which enhanced provisions are required. A height threshold of 18 metres is used in the guidance to identify extra measures that are required to address the risk of the building height. For example, for some building types with floors 18 metres or more above ground Approved Document B recommends:

- protected lobbies to escape stairs are provided to meet Requirement B1 and B3 and protect means of escape by inhibiting fire spread in the building;
- threshold compartment areas are restricted to meet Requirement B3 and inhibit fire spread in the building;
- provisions relating to preventing the external spread of fire to meet Requirement B4 and for fire spread over the wall to be resisted. The ban on the use of combustible materials in the external walls of buildings in scope of the ban maintains the 18m threshold;
- Firefighting shafts are provided to meet Requirement B5 and provide facilities to assist firefighters protect lift.

28. Other thresholds include floor heights of 7.5m (e.g. escape in dwellings) and 30m building height for the provision of sprinklers.

29. Whilst it is generally recognised that risk from fire increases with height, the heights at which different standards are applied have been criticised as no longer being based on relevant science and/or operational practice with modern firefighting equipment.

30. Whether these triggers and thresholds should be revised, or replaced with a more sophisticated approach is a matter that may need to be considered and the Government would welcome evidence on this question. The Government has already said that it will look at the height threshold in relation to external fire spread and the ban on the use of combustible materials in external wall systems.

31. It is recognised that there are other thresholds which are not based on height, which includes area thresholds for the provision of compartmentation which vary between 2000/4000/7000m² depending on the building height. The Government welcomes evidence related to other thresholds also.

Means of escape from blocks of flats

32. Questions have been raised about means of escape from blocks of flats and the stay put policy which has traditionally formed the basis for approaches to managing fire safety in blocks of flats. The stay put strategy has underpinned much of the guidance in Approved Document B. The approach also informs the operational response to an incident and since the Grenfell Tower fire, the National Fire Chief's Council has considered and reaffirmed the principle of "stay put"⁵. There are however understandable questions about the resilience of the strategy when fire protection systems fail.
33. Buildings adopting a stay-put strategy are often designed featuring a single exit stair and no alarm system beyond the provision of smoke alarms in individual flats. Some stakeholders have suggested these issues should be revisited - for example that two means of escape should be prescribed -and that the Department should look to see if there are better solutions for means of escape in use internationally.
34. Smoke control is also a key part of maintaining escape routes clear and available for use in an evacuation and for firefighting. The Government would welcome evidence on such provisions in the guidance relating to means of escape.

Means of escape for disabled people

35. The use of refuge spaces as part of an evacuation strategy for disabled people in non-domestic buildings is well established. But this approach can present operational challenges for the person responsible for managing fire safety in a building and can affect the efficient use of space in a building.
36. One option would be to allow the use of evacuation lifts (which are hardened for use in emergencies) as an alternative to the provision of refuges. In blocks of flats the question is different. Whilst the stay put strategy can solve some of these questions, this is not well explained in current guidance.

⁵ NFCC 'Stay Put' position statement <https://www.nationalfirechiefs.org.uk/Stay-Put-position>

Age distribution

37. The age distribution of the population is changing as evidenced by recent surveys. This is challenging the assumptions underpinning the guidance when it relates to capabilities and the behaviour of people escaping. The Government would welcome evidence on these underpinning assumptions to ensure that they continue to represent the population.

Smoke and Toxicity

38. Concerns have been raised about toxic fumes from construction products, as well as contents (such as furnishings), which are released in a fire.

39. Smoke inhalation is recorded by the Incident Recording System (IRS) as being the main cause of fatalities in fire incidents⁶. The IRS collects information on all incidents attended by fire and rescue services. Fire safety strategies are designed to ensure that people avoid contact with smoke. A recent study commissioned by the European Commission⁷ showed that the UK approach is similar to most other EU member states.

40. Whilst some standard tests do measure smoke obscuration (visibility), the current reaction to fire test standards (European and national) do not currently provide a direct means of classifying the smoke toxicity. Also, smoke toxicity in a fire is dependent on factors which go beyond the material composition, such as ventilation conditions in a room. Changes to the standards would need to be addressed by the relevant standards making bodies.

41. The Government intends to achieve Dame Judith Hackitt's recommendation for a clearer, more transparent and more effective specification and testing regime of construction products. The Government would welcome evidence and views on this subject which can be presented to the standards making bodies.

⁶ Home Office Fire statistics data tables - FIRE0504: Fatalities from fires by cause of death
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/738155/fire-statistics-data-tables-fire0504-sep18.xlsx

⁷ Study to evaluate the need to regulate within the Framework of Regulation (EU) 305/2011 on the toxicity of smoke produced by construction products in fires ISBN number 978-92-79-72247-9
<http://ec.europa.eu/docsroom/documents/27346>

Sprinklers and other Fire Suppression systems

42. Fire suppression systems such as sprinkler and water mist systems can form an effective part of an overall fire strategy, particularly in tall buildings, where they are provided in accordance with the relevant British Standard. Approved Document B already includes provisions for their use where the risk has been considered to justify the extra protection. Currently systems are required for flats in high rise blocks over 30 metres tall, as well as offices, shops/commercial, assembly/recreation and other non-residential buildings. Sprinklers are also identified as a potential alternative to other fire protection measures.
43. There is a body of evidence available on the costs, benefits, and impacts of installing sprinkler systems. Many of these studies relate to the retrofitting of sprinkler systems to existing buildings. Generally, Building Regulations only apply where building work is being carried out and so Approved Document B cannot be used to require the retrofit of sprinkler systems on all existing buildings.
44. Evidence regarding the installation of sprinkler systems, in new buildings was undertaken by the Welsh Assembly Government⁸ and more recently by Scottish Government⁹. The Government will review this and any further information provided in response to this call for evidence. The question of whether property protection of buildings should be taken into account by the Building Regulations is clearly an important consideration.
45. A further issue will be whether to change the height threshold currently used to recommend sprinkler systems in blocks of flats (see above section on height thresholds) and the inclusion of other types of building.

⁸ Cost benefit analysis of residential sprinklers for Wales – Report of cost benefit analysis 27 April 2012
<https://gov.wales/docs/desh/publications/120530buildingsprinklercostbenefitsen.pdf>

⁹ Research Project to Review the Cost Effectiveness of Sprinklers in Residential Properties – May 2015
<https://www.webarchive.org.uk/wayback/archive/20171001135838/http://www.gov.scot/Topics/Built-Environment/Building/Building-standards/publications/pubresearch/researchfire/resfiresprink>

Access and Facilities for the fire and rescue service

46. The current guidance on external access for fire fighting vehicles has not been reviewed for many years and is often criticised for being archaic and impractical by both building designers and the fire and rescue service. This guidance could be reviewed to ensure that it properly reflects modern fire fighting practices and equipment.
47. Internal modern fire fighting tactics and capabilities have largely evolved since the last update of the guidance. In addition, some research has been undertaken on the physiological effects of fire fighting on fire fighters. The Government would welcome evidence to help determine whether the guidance on these topics should be reviewed to ensure that it remains appropriate.
48. The Government would also welcome evidence on requirements for other facilities for firefighting such as provisions for firefighting shafts including facilities such as fire mains.

Basements

Approved Document B currently requires basements to have a means of ventilation in the event of fire. There is limited statistical data available on fires in large basements as they tend to be rare. However, fires in large or deep basements do present specific risks that need to be considered and a holistic review of basement fire safety may be a better approach than focusing only on provisions for smoke ventilation.

Construction technologies and designs

49. Innovative building products and construction processes enable more efficient construction and better performing buildings. Also, the designs of buildings continually evolve to meet the changing functional needs and architectural preferences of those who occupy them. Modern methods of construction is used as a generic term to cover different types of construction approaches.
50. The functional approach taken in the Building Regulations is designed to allow for innovation. In supporting this, Approved Document B provides guidance on more common building types and should be kept up to date to consider trends in building designs and materials. The review will need to consider if the current provisions in the Approved Document address the risks associated with current design features, construction methods, and materials and the Government would welcome evidence on this question.

Construction details

51. A theme from the findings of Dame Judith Hackitt's review was the poor quality of the industry's approach to managing quality. There are persistent problems with the detailing and the quality of installation. Issues have arisen for example with the poor installation of cavity barriers. Evidence emerging from the Department's work on the building safety programme on remediation of cladding systems has revealed similar issues.
52. The guidance in Approved Document B sets out provisions relating to cavity barriers and other fire stopping features. However, Approved Document B is not intended to be a guide for good practice for installers. Specific guidance on good practice should be prepared and published by the industry, in line with Dame Judith Hackitt's recommendations. There is also an issue around subsequent work on the building compromising compartmentation e.g. installation of ducting etc without paying proper attention to fire stopping.
53. Alongside this Call for Evidence the Government therefore intends to work with the sector to review and prepare updated good practice guidance, in line with the recommended approach in the Dame Judith Hackitt's report.

Other Issues

54. This Call for Evidence has focussed on issues currently covered in Approved Document B. The Government recognises that there may be other issues relevant to fire safety which are not addressed in Approved Document B but may be covered in other guidance documents or standards, which may usefully be considered for inclusion in the Approved Document. An example which has been drawn to the attention of the Department is the classification of fire resistance standards for cables where the minimum level of provision is set in BS 7671¹⁰.
55. The government welcomes evidence on any issues that are, or should be, covered by the Approved Document.

¹⁰ BS 7671 Requirements for Electrical Installations. IET Wiring Regulations [2018]

Next Steps

56. It is envisaged that the responses to this call for evidence will help inform a programme of work to revise the Approved Document B guidance. Changes will be subject to further formal consultations.
57. As outlined above, this consultation feeds into wider work the department is undertaking on fire safety guidance. Below is an outline of our approach of how all the relevant consultations and calls for evidence fit together.
58. One important programme issue is whether the Government should look to implement all the changes to Approved Document B in one exercise; or whether the Government should make changes in relation to specific topics when ready to do so i.e. a rolling programme of updates.
59. The Government recognises in this respect that for some of the topics the evidence base may be robust; but for others further work and research may be needed.
60. The former approach has the advantage of ensuring that all the changes are compatible, consistent and enable everything to be seen together in a holistic approach; the disadvantage is the time taken and risks of delays because some issues may take longer to work through, particularly if further research is needed. The Government would welcome views on the best approach to take. Digital approaches could make a rolling programme easier to deliver though recognises the burden of potentially a series of further individual consultations.

Further work on Approved Document B

- **Late autumn** – announce the outcome of the consultations on assessments in lieu of tests (AILOTs) and banning combustible materials in the external walls of high-rise residential buildings.
- **Spring 2019** – Publish the clarified Approved Document B
- **Spring 2019** – Publish government response to this call for evidence and a roadmap for wider technical policy changes.

How to respond (Annex A)

Please use the table format below to feedback comments for Technical Changes relating to ADB. Once complete, email this document to ADBconsultation@communities.gsi.gov.uk

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	

Please indicate whether you are applying to this consultation as:	Select one
Builder / Developer	
Designer / Engineer / Surveyor	
Local Authority	

Building Control Approved Inspector	
Architect	
Manufacturer	
Insurer	
Construction professional	
Fire and Rescue Authority professional	
Property Manager / Housing Association / Landlord	
Landlord representative organisation	
Building Occupier / Resident	
Tenant representative organisation	
Other interested party (please specify)	

Instructions for completing the table:

Please provide comments in the table below, bearing in mind the following 4 principals.

- What issues need to be resolved?
- Why should they be reviewed?
- What evidence already exists?
- What are the potential impacts of change?
- Please provide any evidence you or your organisation have to support your suggestion

If your comment relates to a specific area of technical guidance in ADB, please also provide the following:

- The specific Approved Document B Volume number you are referring to (Volume 1 or Volume 2)
- The specific section and subsection you are referring to (e.g. section 2.5)
- The specific paragraph (e.g. 2.5(a)(i)) and if applicable the specific diagram, table, note or appendix you are referring to.
- Please ensure you clearly detail your justification for change in the comment box.
- Please clearly detail your proposed amendment in the proposed change box.

Area of fire safety	ADB area	Relevant section of ADB (if applicable): volume/paragraph/diagram number	What issues need to be resolved and why should they be reviewed?	What evidence already exists?	What are the potential impacts of change?	Details of evidence provided
General	<i>Scope of fire safety</i>					
	<i>Purpose Groups</i>					
	<i>Specialised housing and care homes</i>					
	<i>Trigger heights and thresholds</i>					

	<i>Age Distribution</i>					
	<i>Smoke and Toxicity</i>					
	<i>Construction Technologies and Designs</i>					
	<i>Construction details</i>					
	<i>Other issues - please specify theme</i>					
Requirement B1: Means of warning and escape	<i>Means of escape from blocks of flats</i>					
	<i>Means of escape for disabled people</i>					
	<i>Other issues - please specify theme</i>					

Requirement B2: Internal fire spread (linings)	<i>Other issues - please specify theme</i>					
Requirement B3: Internal fire spread (structure)	<i>Compartmentation</i>					
	<i>Sprinklers and other Fire Suppression systems</i>					
	<i>Other issues - please specify theme</i>					
Requirement B4: External fire spread	<i>Space Separation</i>					
	<i>Other issues - please specify theme</i>					
Requirement B5: Access and facilities for the fire service	<i>Access and Facilities for the fire and rescue service</i>					
	<i>Basements</i>					
	<i>Other issues - please specify</i>					

<i>theme</i>						
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Annex B

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.

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](#).

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. Your personal data will not be sent overseas.

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

8. Your personal data will be stored in a secure government IT system.

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](#).