

Number: WG41156



Welsh Government  
Consultation – summary of responses

## **Rationalisation of the legislation controlling automatic fire suppression systems in care homes for children**

March 2021

# 1. Introduction

This report provides a summary of the responses to the consultation “Rationalisation of the legislation controlling automatic fire suppression systems in care homes for children” (opened on 20 November 2020 and closed on 4 January 2021). We have carefully considered the responses to the consultation in finalising this policy.

## 2. Consultation Responses

### The respondents

Overall there were 16 responses to the consultation. Respondents who completed the consultation response form were asked to assign their organisation to one of 11 types identified on the form (including a self-designated ‘other’ option). The respondents were made up of 10 Local Authorities, 1 Building Control Approved Inspector, 1 Designer / Engineer / Surveyor, 1 care home operator, and 3 Fire and Rescue Service.

**Question 1: Do you support the proposal to move the requirement for automatic fire suppression systems in care homes for children into the Building Regulations 2010? Please explain your reasoning.**

15 of the 16 respondents supported the proposal to move the requirement for automatic fire suppression systems in care homes for children into the Building Regulations 2010. Of the 15 who supported the proposals those who provided additional explanation in support of their answer identified this change would provide consistency and avoid confusion and is a meaningful rationalisation of existing legislation. The one respondent who did not support the proposals identified that other fire safety systems, such as alarms, door closers and fire extinguishers provide the life safety cover and the automatic fire system may be subject to vandalism.

**Question 2: Do you agree the movement of the requirement for automatic fire suppression systems in care homes for children from the Measure to the Building Regulations 2010 should have no negative cost implications?**

The majority of respondents (13) agreed the proposal should have no negative cost implications, two other respondents were unsure of the cost implications. The one respondent who did not agree considered there would be direct costs to industry through the installation and maintenance of the system, and the potential for further cost through collateral damage if they are activated. These additional costs will mean providers will increase their charges to Local Authorities.

**Question 3: We would like your views on the effects that the proposals would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English. What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**

Respondents either identified that the matter is not relevant to the proposal or that there would be no effects.

**Question 4: Please also explain how you believe the proposals could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

Respondents either identified that the matter is not relevant to the proposal or that there would be no effects.

### **3. Welsh Government Response**

The proposal received support from all bar one of the respondents, and no adverse impacts in relation to costs or the Welsh language were identified. Although one respondent did identify costs, these were costs associated with installing the system, or collateral damage from misuse and not costs associated with moving the requirement to the Building Regulations 2010. As automatic fire suppression systems are already a requirement in care homes for children through the Domestic Fire Safety (Wales) Measure 2011 the installation and maintenance costs are an existing cost on care home providers. These costs will not change following the transfer of the requirement to the Building Regulations 2010.

It is therefore the intention that The Building Regulations 2010 will be amended to include the requirement for automatic fire suppression systems in children's homes. Further to this consultation it has become apparent there are further complications with amending the legislation, and a second consultation will be issued to outline further proposals.

Until this legislative change is undertaken it is considered important to remind stakeholders that the advice provided in the circular 008/2020<sup>1</sup> is followed. That is, The Domestic (Fire Safety) Wales Measure 2011 requires care homes for children to have fire suppression systems installed. A system is considered to be compliant with the measure if it follows the requirements set out in approved document B for systems that are required by part 7A of the Building Regulations 2010.

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<sup>1</sup> <https://gov.wales/provision-automatic-fire-suppression-systems-care-homes-children-wgc-0082020>