

Lord Greenhalgh
Minister of State for Building Safety, Fire and
Communities
Ministry of Housing, Communities and Local
Government
London
SW1P 4DF



Tuesday 4th May 2021

RE: UK Product regulation change – UKCA Mark

Dear Lord Greenhalgh,

We are writing to you again on behalf of the fire industry regarding the UKCA mark as the overwhelming majority our members, and the wider fire industry, are still deeply concerned about the real impacts that transitioning to the UKCA mark will have on their businesses at this unprecedented time. After Paul Scully's MP, Minister for Small Business, Consumers and Labour Markets, most recent letterⁱ that was sent on April 6th, our industry is more concerned than ever that some Governmental departments who are dealing with the UKCA mark are unwilling and perhaps more importantly unable to appreciate the impact of their decisions and have misunderstood the severity of this matter will have on the fire safety industry.

On the 9th March we sent a letterⁱⁱ to Paul Scully MP, to inform him of our meeting with the UK Approval Bodies (UKABs), the challenges our industry is facing with transitioning to the UKCA mark, and our concerns that the current unrealistic time period to comply with the UKCA mark could seriously hinder the fire safety of buildings in the UK due to lack of compliant products.

The letter laid out the progress our industry has made transitioning to the UKCA mark according to our recent survey (to our 1,000 member companies), it highlighted that that the average respondent estimated that they will only have 63% of their products with the UKCA mark by the end of 2021 which falls well short of the 100% target that the Government has indicated must, and can, be done in the next 7 months. Our meeting with the UK ABs reaffirmed our fears that this timeline is unrealistic as the UKABs were unable to collectively provide reassurance on their processes and reassurance of us of their capacity to facilitate the transition. It was stated that they are still waiting for the Government to create a group (which is compulsory) to allow the UK ABs to collectively agree to a common policy on how they will deal with the UKCA.

In Paul Scully's latest response, he claimed *'there are no current plans to establish groups to coordinate the activities of Approved Bodies'*; yet we have spoken to the UKABs who have confirmed they are in fact already working with MHCLG to set up this group! This unfortunately highlights the lack of understanding of the processes required to attach the UKCA mark to products.

Our letter explored and explained the effect of 37% of fire safety products not being transitioned to the UKCA mark in time. In the UK many fire safety systems are only compatible with certain products and if businesses are unable to get the UKCA mark on these products in time, it may leave 1,000's of buildings (including hospitals, care homes and schools) in the UK with a fire safety system that needs entirely replacing costing thousands (not to mention the downtime of these critical establishments).



Fire Industry Association

Regrettably, in Paul Scully's MP last letter, neither the unrealistic timeline of implementing the UKCA mark or the resulting affect was addressed. Instead, the letter states that the Government have *'introduced a package of easements after the end of the Transition Period. These transitional measures were welcomed by manufacturers and we will continue to support businesses in adjusting to the new arrangements'* – this is not the case. In our extensive conversations with 100's of FIA manufacturers, no such comment has been made on how any of easement measures assisted them in transitioning to the UKCA mark. Paul Scully's MP letter states he *'will continue to support businesses in adjusting to the new arrangements'*, as the voice of the fire industry, there has been little to no support offered to businesses working in our industry on this specific issue.

The latest letter from Paul Scully MP is incredibly concerning to our industry. As on the one hand the letter states the industry has and will continue to receive support; whilst the letter itself unfortunately fails to answer any point made in our previous letters and merely includes a selection of un-related copy and paste responses from the GOV.UK website alongside factually incorrect information on the creation of the UK AB Group.

Exceptions have already been made for other industries that are primarily concerned with life safety - such as Medical Devices. We have consistently asked the Government to extend the transition period deadline for the UKCA mark from December 31st 2021 (7 months remaining) to December 31st 2023 (31 months), as it will allow our industry to realistically transition to the UKCA mark in time.

As stated, we have been communicating with the Government on this vitally important issue since September 3rd ⁱⁱⁱ and we have consistently asked for the extension for the last 7 months. In that time, the Government has stated they have proposed a mutual recognition agreement that has not come to fruition ^{iv}, the Government suggested that the fire industry should meet with the UK ABs ^v which we did and the outcomes of that meeting have been ignored in the last letter from Paul Scully MP, and perhaps most importantly the Government have overlooked the points within our letters and replied with copy and paste responses.

We respectfully request that you assist us in explaining to the correct Government individuals the current and future damage that the unachievable timeline for transitioning to the UKCA mark will have on the fire safety industry and potentially the safety of the public.

Yours sincerely,

CEO of Fire Industry Association

ⁱ 08396 Ian Moore Outgoing – Attached

ⁱⁱ Paul Scully MP 9-3-21 - Attached

ⁱⁱⁱ FIA and BSIA letter to Government on UKCA Mark - Attached

^{iv} 39427 Ian Moore Mike Reddington outgoing – Attached

^v TC-A-0172 Reply UK Gov on UKCA transition (20210119) to UK Fire Sector Federation letter - Attached

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