**A couple of FOI requests put to the Department for Business, Energy and Industrial Strategy regarding the Furniture Regulations and Grenfell Tower**

Background:

BEIS went out to consultation on changes to the Furniture Regs' match test (it's been known since at least 2014 that the current match test fails in over 80% of cases) in September 2016. The proposed test was identical to the one proposed in August 2014. The only reason it has not been implemented is because of resistance from business and those in the pay of supporting business.

Despite the fact that all the work on this test was completed nearly 4 years ago and everyone, including the fire sector, agreed that it was good to go, it remains unimplemented. BEIS has still not issued a government response to the second consultation, some 15 months after it closed. Plenty of people have asked them what's going on and they have given the same bland response to all (even the Minister who was in post for the 2014 consultation, Jo Swinson), which is along the lines that they received a lot of replies to the consultation, it's complicated (it's not - as said, all the work was done years ago), and - incredibly - they must be careful to get things right *especially in light of Grenfell Tower*.

Let's be clear about this: BEIS's 2016 consultation clearly sets out the fact that the current match test is ineffective. Which means fire spread in Grenfell Tower, and the volume of toxic smoke, was greater than it should have been (if the changes had been implemented 3 years ago as originally planned). Another Grenfell is waiting to happen, and could easily be entirely down to the failing Regulations this time.

BEIS has people working on these Regulations full time, although 'working' is subject to debate, since they clearly are doing very little by way of putting things right.

I put in a Freedom of Information request to BEIS recently but they refused to answer my questions on the grounds that it would be too expensive to. I protested, on the basis that I used to do the job and know exactly how much it would cost, but they dug in their heels. So I went back with just one question:

"Since 14 September 2016, how many meetings has BEIS attended/held with external stakeholders with regard to the Furniture and Furnishings (Fire) (Safety) Regulations?"

Here is their answer (and below that my commentary):

Since 14th September 2016, BEIS has participated in 9 meetings with a range of different external stakeholders on the Furniture and Furnishings (Fire) (Safety) Regulations . . . We do not think that it is fair to release the names of junior members of staff or third parties and do not think that any of the relevant conditions apply.

**Stakeholder Consultation Meeting 20th October 2016**

Attendees: Representatives from the British Retail Consortium, Next, Wilkinsons, Clarkson Textiles, Euroflam Ltd. Lubrizol, Baby Products Association, ICL Group, Flexible Foam Research Ltd, National Bed Association. BEIS officials

**Stakeholder Consultation Meeting 2nd November 2016**

Attendees: Representatives from Sustainability Network for Standardisation, British Furniture Manufacturers Association, the Association of Master Upholsterers and Soft Furnishers), Leisure & Outdoor Footwear Association, FIRA, Fretwork Ltd, Steinhoff BEIS officials

**Meeting with Trading Standards 15th November 2016**

Representatives from Norfolk Trading Standards and Bexley Trading Standards BEIS officials

**Meeting with Non-Governmental Organisations 6th December 201**6

Attendees: Representatives from Breast Cancer UK, Sustainability Network for Standardisation, Cancer Prevention Education Society, ChemTrust BEIS officials

**UK Textile Laboratory Forum 23rd February 2017**

Attendees: Members of UK Textile Laboratory Forum BEIS officials

**Technical Panel Meeting 6th July 2017**

Attendees: Mr Neil Gibbins, Chief Executive Officer and Company Secretary of the Institution of Fire Engineers Professor John Loughhead, Chief Scientific Advisor for BEIS Professor Ian Boyd, Chief Scientific Advisor for Defra Professor Tim Gant, Head of Toxicology at Public Health England Mr Rick Hylton, Assistant Chief Fire Officer, Cambridgeshire Fire & Rescue Service Ms Sarah Smith, Deputy Director of Regulatory Delivery, BEIS BEIS and Defra officials

**British Furniture Confederation’s Trading Standards Afternoon Tea Event 6th September 2017**Attendees: British Furniture Confederation members and associates

Members of the All Party Parliamentary Furniture Industry Group BEIS official

**Meeting with Cancer Prevention and Education Society 13th October 2017**

Attendees: Representatives from Cancer Prevention and Education Society BEIS officials

**Meeting with Public Health England 7th December 2017**

Attendees: Representative from Public Health England BEIS officials

My comments:

Overall, holding just 9 meetings in 15 months is totally insufficient. In a similar length of time, before the launch of the proposed new match test in August 2014, we attended over 40 meetings, workshops, lectures and events. Furthermore, myself and Steve Owen were leading most of these. By contrast, colleagues tell me that all BEIS did at any of these 9 meetings was take notes, say, "That's interesting," and "We'll go away and consider."

Those 40 meetings, by the way, do not include the hundreds of day-to-day phone calls and meetings with other government officials that I held in the similar period. Most of BEIS's 9 meetings are in fact this kind of day-to-day encounter, not full scale stakeholder meetings.

Of the just two stakeholder meetings they held - and both over a year ago - what jumps out is that almost all attendees are business representatives. At the 20th October 2016 meeting, most are from the flame retardant and chemical treatment industries - those who stand to lose the most money from the proposed safety changes. At the 2nd November meeting, everyone bar one are supporters of retaining the current match test (and FRETWORK is the trade association for FR suppliers and the chemical treatment industry). The representative from the Sustainability Network for Standardisation was only present because she found out about the meeting and insisted that at least one person representing those opposed to flame retardants should be present.

At neither meeting are there any representatives from:

Trading Standards

Test Houses

The Fire Services

Which of course is scandalous, since all of these were the main supporters of the new match test and, where Trading Standards and the fire services are concerned, they are the people with public safety as their priority.

You'll see that BEIS has only held one meeting with Trading Standards - the people who enforce the Regulations - and then only with two local offices.

The meeting on 6th December with various green lobby groups had to be forced on BEIS by the groups. Which is poor form, considering one of BEIS's objectives for the new match test is to reduce the use of flame retardants - and these are the groups with the same objective! I was informed that indeed this was one of those meetings where BEIS officials nodded a lot, took notes but made absolutely no commitment to actually doing anything about the Regs.

It should be noted, that no meeting notes, summaries, action plans have emerged from BEIS as a result of any of these meetings.

UKTLF is an association of test houses. It has also confirmed to BIS/BEIS that the current match test does not work properly and that the new one will. Again, no meeting note (not surprisingly, perhaps).

The 'Technical Panel' meeting is an interesting one. BEIS has listed this as a group that discussed the Furniture Regs. However, there is no record that they did so; rather, their focus was mostly on white goods. In fact, a week or so after this, the only, meeting of the Panel, Neil Gibbons said that he wanted to talk to me about the Furniture Regs, since he didn't know much about them. He never followed up on my offer to do so. After receiving this FOI response, and realising that he'd actually been on the Panel, I wrote to him again but there has been no response.

I think the BFC's 'Tea Event' speaks for itself.

As for the 'meeting' with the Cancer Prevention Society, which of course was prompted by the CPS, I happen to know this was in fact just a phone call with the CPS at which BEIS officials said, "That's very interesting" a lot and once again nothing has resulted.

As for the meeting with PHE, I wonder if BEIS officials asked about, or even knew about, the work that PHE assured Oliver Letwin it was going to do - around 4 years ago now - to analyse the flame retardant content of house dust (the UK has the highest levels in the world, by the way).

The other FOI question recently put to BEIS was to ask them what contact they've had with the Grenfell Inquiry, the Dame Judith Hackitt Review and the Grenfell Inquiry Experts' Panel about the Furniture Regs.

Answer: **NONE**.

To summarise: here is a major government department, responsible for the main fire safety laws governing every home in the country, proving that the main ignition test for those laws fails in most cases, developing the solution - now bowing to business interests and allowing every person in the country to remain at risk. In addition, it is contributing nothing to the review of fire safety that is currently underway in light of Grenfell Tower. Oh, and just for good measure, is claiming that Grenfell Tower is the reason it's not acting!