Mandating members to only supply proven fire performance Structural Timber Systems

Dear Member

Following the workshop at the STA Winter Technical Conference STA have completed the consultation process for the mandating of fire proven performance of structural timber elements.

A key issue that was highlighted centred around the use of 'system' in the original commentary to describe the proven fire performance of components supplied.

Also, the question of liability of a proven fire resilience was also raised. Specifically, any demonstrable evidence of fire resistance is likely to include components and products that may not be provided by the STA member and therefore there is liability for compliance responsibility gap.

Items that may be outside the STA members control include

1) Plasterboard
2) VCL
3) Services
4) Insulation
5) Cavity Barriers/ fire stopping.

If a member presents their proven fire resilience, then it must be clear as to what it includes and restrictions on what would be follow on materials and products to comply with the fire resistance.

In addition, the fire safety of the whole building is reliant on many parts which cannot be covered by an STA members proven fire resilience of a wall or floor or roof as appropriate.

It is vital therefore we use the correct terminology when describing what is meant by proven fire resilience.

First any member presenting to their customer a proven fire resistance solution must make it clear as to what parts is being supplied by the STA member and what parts are by others and how they must follow the STA members submitted fire resistance solution.

As most members supply only 'elements' such as internal and external walls, floor cassettes and roof trusses/panels (often provided by third party suppliers); it is only those elements that the STA member is declaring that need to comply with the STA directive; that being -

1. A structural timber element that is compliant with the tested solutions contained in the STA Fire Research Pattern Book, Volume 1.

2. A structural timber element that has been assessed by a UKAS laboratory as being suitable and fit for purpose.

3. A structural timber element that has been tested by the member to either BS476[1] or EN1365

4. A structural timber element that has been designed and checked for acceptance adopting EN1995-2 -2009 and checked against the prEN1995-2 2023 or latest edition.

5. A whole house test carried out by a recognised body such as BRE, Effctis and Warrington Fire.

[1] * BS476 is not recommended and may be withdrawn as an acceptable standard in the near future.

It must be made clear that whilst the proven element will include those other components critical to the fire resilience performance, they may not be supplied by the STA member.

Those that are supplying those critical components will need to demonstrate a clear requirement to follow the proven solution specification. Failure to do so will result in the system assembled by the principal contractor's subcontracted suppliers, being an unproven system.

By making this clarification it avoids the inadvertent acceptance of fire design liability, highlighted by some as a concern. That said the limiting of liability should always be made clear at the beginning of any contract.

Other issues relating to concerns such as the lack of test data please see below the STA responses.

Mid wall to floor junctions	Junctions will not be part of the mandated proven solutions as it does not apply to an element. For completeness STA will undertake on behalf of members a wall to floor junction fire test before the mandating requirement is applied. Whilst there is no known standard to test to STA are in discussions with industry bodies to agree the concept proposed will be acceptable
Impact of integration of steels	Some members have data relating to the integration of steels and have agreed to make available this data to be sued by members
Light weight cladding systems	The cladding will not form part of the current suite of fire tested data as the tests are all from the inside out. That said changes to Part B in England and Wales is now seeking clarification of provable fire resilience such as fire testing from outside in. There are too many lightweight cladding products to test and a number of stakeholder organisations recognise this. To this end STA are negotiating a testing solution that would be accepted by the Building Safety Regulation which will be in place before the mandating requirement will be required
Suspended ceiling in compartment floor	This is not part of the STA member tested element
Over 3m	The STA is working on a calculation approach to be submitted for regulator approval for extension of heights of tested panels.
Non domestic compartment walls	There are many permutations of compartment walls it is not possible for STA to provide fire test data. Members will be required to fire test their own systems or work collaboratively with other members suppling the exact same element in a test. STA will facilitate such arrangements if required. - support? Advise?
Flat over garage separating wall	There are many permutations of separating walls that are outside those illustrated in Volume 1 Pattern Book it is not possible for STA to provide fire test data. Members will be required to fire test their own systems or work collaboratively with other members suppling the exact same element in a test. STA will facilitate and support such arrangements if required
Service penetrations	This is not part of the STA member tested element but again for completeness STA are planning to undertake a series of small scale tests to provide demonstrable evidence of how to treat penetrations which can be provided to members clients
Plasterboard 12.5mm	STA will not be providing tests data for members using 12.5mm plasterboard

89mm stud	STA has no plans to test 89mm stud wall elements. Members will be required to fire test their own systems or work collaboratively with other members suppling the exact same element in a test. STA will facilitate and support such arrangements if required
Closed panel	There are many permutations of closed panels it is not possible for STA to provide fire test data. To comply with programmes such as NHBC Accepts, members will be required to fire test their own systems or work collaboratively with other members suppling the exact same element in a test. STA will facilitate and support such arrangements if required. Please note that inclusion of additional layers to create a closed panel is within the scope of some of the fire test solutions in the STA pattern book.
Impact of air tightness products, tapes or sprays	These are secondary products so the client will need to provide their own certainty of the impact on the tested elements supplied by members.
Impact of window reveals and detailing for compliance with Part L	Adjustments to elements provided by the STA Member will be the responsibility of the Architect/Client to be assured of the regulatory requirements of the statutory guidance sections for fire and thermal
Architect/Client insist on a particular detail of a structural wall (for example) which is untested	STA member will be required to demonstrate they have taken reasonable steps to encourage the design to be compliant with a tested solution. **There is an insurance point of fact that liability may be shared or implied on the STA member if no objection is made to an assembly that is not fire safe and the STA member is taking a risk of non-compliance if support is given to solutions that are not proven.** The STA has a duty to protect the industry and the upcoming mandatory only proven solutions to be built by STA members is there to protect the member and the industry. Before the mandatory process is in place it is advised that the member consider their risk and exposure to allowing unproven assemblies.

Noted -

STA will engage with all key stakeholder groups, such as Warranty Providers, Lenders and Insurers seeking their full backing, enabling STA members to promote another key point of difference as they trade in this sector.

Time Scales -

It is expected to have all the detail ready for inclusion into the STA Assure Audit programme whereby noncompliance with the mandate will result in a downgrading in STA Assure status, in June 2024.

Whilst monitoring compliance in 2024 the full impact of non-compliance will not be introduced into STA Assure Audit until January 2025.

It is vital for the Structural Timber Industry to demonstrate the safety of the systems and element provide are at the forefront of everything we do.

17th January 2024