Limiting your risk
in Sourcing, Specification and Supply

JRS CONSULTANCY
Working with standards

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Is this an elephant?
Is this a picture of a Cartier watch?
Is this a Manufacturer’s Declaration of Conformity with standards?
What are the hazards to be analysed?

- Accepting products at face value
- Not checking supporting documentation
- Incorrect/inappropriate documents
- Incorrect specification
What risks arise from the hazards?

**Hazards**

- Door and/or hardware not fit for purpose

**Risks**

- Entrapment, injury or death of persons
- Lack of expected performance or appearance
- Financial loss to your company
What are the possible consequences?

- Cost of supplying FoC replacements
- Labour costs for refit and making good
- Loss of stock
- Loss of client for future work
- Loss of web site and/or literature (false claims)
- Legal action against company (fines/prison)
- Bad publicity (spreads like wildfire these days)
When you make your hazard analysis and risk assessment, remember –

- If you speed, risk is limited to a short time/distance.

- Products you supply will be in a building for many years – the original risk level persists, or increases with wear and tear.
Sourcing – what you put in your warehouse. How can you reduce the risk in offering it for sale?
How do you prove it’s a real elephant? Or a safe-to-offer

- Hinge
- Lock/bolt
- Lever
- Pull handle
- Door closer
- Emergency exit device
- Panic exit device

Accepting products at face value
(See - it’s just the same as a DIN lock!)
Product standards are almost the only way of showing compliance with key legislation:

• **Construction Products Directive**  
  CE mark / ENs / ETAs

• **UK Building Regulations**  
  Recommend standards as proof of “proper materials”; and that products are “state of the art” and “current rule of technology”
Standards are not mandatory, **BUT** –

**what do you lose if you ignore them?**

- **Legal protection** of the CE mark
- **Evidence** of “proper materials” being used
- **Evidence** of fitness for purpose
- **Evidence** of due diligence on your part

**Courts make judgements based on evidence**
Legal framework:

- **Construction Products Directive**
  - Affects all in the supply chain from the point where the product is “first put on the market” in the EU, up to supplying the installer
  - Basic message – CE marked products meet the “essential requirements” (safety in case of fire and in use) – in Annex Z.A of hEN
  - Non-harmonised ENs also address essential requirements
  - Alternative means of proving compliance theoretically available
33. - (1) In any proceedings against a person for an offence under any of the relevant statutory provisions (as defined in section 53(1) of the Health and Safety at Work etc. Act 1974 or Article 2(2) of the Health and Safety at Work (Northern Ireland) Order 1987) which impose requirements with respect to any matter it shall be a defence for that person to show that the requirements of these Regulations were satisfied in relation to that matter.
If your hinges wear and the door drops;
if your closer slams the door and injures someone;
if your latch jams and traps a person in or out of a room –
the CE mark can be a protection and defence which stops the matter going to court.

(Photo courtesy of Arnold Tarling)
Legal framework:

• Building Regulation 7 (England and Wales)
  - Materials and workmanship to be “proper”
    - Covered for CE marked products
    - For non-CE markable products (e.g. levers)
      ✓ Test to an EN or national standard
      ✓ Other relevant European specification
  
  - Standards represent –
    “current state of the art & acknowledged rule of technology” – the measure for acceptability
Legal framework:

• Building Regulation 38 (UK)
  - Maintenance info on fire and escape door hardware must be passed to client

(2) The person carrying out the work shall give fire safety information to the responsible person not later than the date of completion of the work, or the date of occupation of the building or extension, whichever is the earlier.

(3) In this regulation—
  (a) “fire safety information” means information relating to the design and construction of the building or extension, and the services, fittings and equipment provided in or in connection with the building or extension which will assist the responsible person to operate and maintain the building or extension with reasonable safety;
Building Regulation 38 (UK)

- Maintenance info on fire and escape door hardware must be passed to client
  - Brochure or other means of product ID
  - Info on standards compliance
  - Fixing/operating instructions
  - Maintenance instructions provided by manufacturer
  - Maintenance checklist from GAI website, Technical Section
Accepting claims at face value
(of course it’s CE marked and fire-rated!)

How do you prove this is a Cartier watch? Or that your products really meet the standards you claim

- Relevant standards – know them
- Understand and check the classification codes
- Ensure all accessories/finishes and variants are included in any CE mark or fire certification
Accepting standards claims at face value

- Check fire test evidence is OK for unlatched doors
- Check fire test evidence for the range of timber/steel door types and ratings (e.g. look at ALL the Certifire data).
Incorrect/inappropriate documents
(Here’s our Manufacturer’s Declaration!)

Demand and keep on file (e-data is OK)
✓ ManDecs of Conformity with standards including classifications
  (must be on company headed paper and signed by senior person)
✓ Certifire data – not just the front page, include data tables
✓ Maintenance information
**Provenance of standards documents**

- Notified laboratories should be used for testing
  - Evidence from outside EU has no more validity than a manufacturer’s claim

- Is compliance test a “one off”, or is compliance ongoing?
  - 1st or 3rd party attestation of conformity
  - FPC
  - Audit testing
Ownership of CE mark

• Not transferable just by applying new branding – potentially illegal application of the mark
  ▪ Traceability paramount

• Company applying the CE mark must ensure **correct** provision of –
  ▪ Classification
  ▪ Marking
  ▪ Fixing instructions
  ▪ Maintenance information on fire safety fittings for passing to client
Ways to minimise risk - recap

• Analyse your product offering thoroughly
• Standards compliance at right level: state of the art/current rule of technology
  ▪ Durability
  ▪ Fire test information
  ▪ Corrosion resistance
• Supply CE marked product for best protection
• Supply tested and audited product wherever possible
• Maintenance file to contractor/client
Remember –

- A speed limit is for a short time and distance

- Products you supply will be in a building for many years – the original risk level persists.

Don’t sell time-bombs!
Thank you!

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