

# Consultation on Revised School Premises Regulations

## Consultation Response Form

The closing date is: 26 January 2012  
Your comments must reach us by that date.

**THIS FORM IS NOT INTERACTIVE. If you wish to respond electronically please respond online on the Department for Education e-consultation website ([www.education.gov.uk/consultations](http://www.education.gov.uk/consultations)).**

Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the access to information regimes, primarily the Freedom of Information Act 2000 and the Data Protection Act 1998.

If you want all, or any part, of your response to be treated as confidential, please explain why you consider it to be confidential.

If a request for disclosure of the information you have provided is received, your explanation about why you consider it to be confidential will be taken into account, but no assurance can be given that confidentiality can be maintained. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department will process your personal data (name and address and any other identifying material) in accordance with the Data Protection Act 1998, and in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties.

**Please tick if you want us to keep your response confidential.**

Reason for confidentiality:

Name Stephen Russell/Merrick Denton-Thompson

Organisation (if applicable) The Landscape Institute

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If your enquiry is related to the policy content of the consultation you can contact the Department on telephone 0370 000 2288 or e-mail: [PremisesRegulations.CONULTATION@education.gsi.gov.uk](mailto:PremisesRegulations.CONULTATION@education.gsi.gov.uk)

If you have a query relating to the consultation process you can contact the Consultation Unit on 0370 000 2288 or email [consultation.unit@education.gsi.gov.uk](mailto:consultation.unit@education.gsi.gov.uk)

Please mark an X in one box below that best describes you as a respondent.

<input type="checkbox"/> Head Teacher/Teacher	<input type="checkbox"/> Maintained School	<input type="checkbox"/> Independent School
<input type="checkbox"/> Governor	<input type="checkbox"/> Local Authority	<input type="checkbox"/> Disability Organisation
<input type="checkbox"/> Union	<input type="checkbox"/> Parent or Pupil	X Technical Professional
<input type="checkbox"/> Other		

Please Specify: The Landscape Institute is the Professional body representing the Landscape Profession, comprising of 6,000 Landscape Scientists, Landscape Architects, Landscape Planners and Landscape Managers. Members of the Institute work across the private, public and voluntary sectors. Many have been involved in supporting successive Governments in the production Building Bulletins such as BB71-The Outdoor Classroom and BB85 School Grounds – A Guide to Good Practice

## Acoustics (ISSs & SPRs)

### Proposed regulation - Acoustics

The acoustic conditions and sound insulation of the teaching accommodation must be suitable, having regard to the nature of the activities which normally take place therein.

**Q1) Do you agree that this adequately covers the requirements for acoustics? If not, why not**

X Yes

No

Not Sure

Comments:

## Water supplies (ISSs & SPRs)

### Proposed regulation -

#### *Water supplies*

- 1) *Suitable drinking water facilities must be provided.*
- 2) *The facilities provided under paragraph (1) will not be suitable unless -*
  - (a) *they are readily accessible at all times when pupils are on the premises;*
  - (b) *they are separate from the toilet facilities; and*
  - (c) *the water is wholesome.*
- 3) *Toilets and urinals must have an adequate supply of cold water and washing facilities must have an adequate supply of hot and cold water.*
- 4) *Cold water supplies that are not suitable for drinking must be clearly marked as such.*
- 5) *The temperature of hot water at the point of use must not pose a scalding risk to users.*

**Q2) Do you agree that this adequately covers the requirements for water supplies? If not, why not?**

Yes

X No

Not Sure

Comments

Drinking water must also available in the school grounds.

### **Boarding accommodation (ISSs & SPRs)**

These regulations cover sleeping and living accommodation, washrooms, sick rooms and staff accommodation. Currently the ISSs refer to the National Minimum Standards for Boarding Schools (NMS), while the NMS (2011) refer to the SPRs for detailed requirements. Since requirements are not set out elsewhere, regulations and supporting information on boarding accommodation should be retained in some detail until the NMS are revised.

**Q3) Do you agree that in future we should seek to bring the premises standards for boarding schools into the NMS? If not, why not?**

X Yes

No

Not Sure

Comments

### **Proposed regulations -**

#### ***Standards for boarding schools***

#### ***Sleeping accommodation***

- 1) *Suitable sleeping accommodation must be provided for boarding pupils.*
- 2) *Where pupils are aged 8 years or over, sleeping accommodation for boys must be separate from sleeping accommodation for girls.*

**4 a) Do you agree that these regulations adequately cover the requirements for boarding schools relating to sleeping accommodation? If not, why not?**

Yes

X No

Not Sure

Comments:

'Suitable' is too open ended and subject to opinion and variation, this needs greater definition.

### **Toilet and washing facilities**

1) *Suitable toilet and washing facilities must be provided for boarding pupils, which must be adjacent to or reasonably accessible from the sleeping accommodation.*

2) *Separate toilet facilities must be provided for boys and girls, except where they are provided for use by one pupil at a time.*

**4 b) Do you agree that these regulations adequately cover the requirements for boarding schools relating to toilet and washing facilities? If not, why not?**

Yes

No

Not Sure

Comments:

No comment

### **Living accommodation**

1) *Suitable living accommodation must be provided for boarding pupils for the purposes of private study outside school hours and for social purposes.*

**4 c) Do you agree that these regulations adequately cover the requirements for boarding schools relating to living accommodation? If not, why not?**

Yes

X No

Not Sure

Comments:

'Suitable' fails to adequately set out the standards of even the most basic of provision, unless it is cross referenced to guidelines that give more detail.

### **Accommodation for the preparation and consumption of meals**

- 1) *Suitable accommodation must be provided for the preparation and consumption of meals by boarding pupils.*
- 2) *Accommodation provided under paragraph (1) may be situated in the main school provided it is adjacent to or reasonably accessible from the boarding accommodation.*

**4 d) Do you agree that these regulations adequately cover the requirements for boarding schools relating to accommodation for the preparation and consumption of meals? If not, why not?**

Yes

X No

Not Sure

Comments:

'Suitable' fails to adequately set out the standards of even the most basic of provision, unless it is cross referenced to guidelines that give more detail.

### **Sick rooms**

- 1) *Suitable accommodation (including toilet facilities) must be provided in order to cater for the needs of boarding pupils who are sick or injured.*

**4 e) Do you agree that these regulations adequately cover the requirements for boarding schools relating to sick rooms? If not, why not?**

X Yes

No

Not Sure

Comments:

### **Staff accommodation**

- 1) *Suitable accommodation (consisting of accommodation in which meals may be taken, living accommodation and sleeping accommodation) and suitable toilet and washing facilities must be provided for residential staff, which must be separate from the accommodation and facilities provided for boarding pupils.*

**4 f) Do you agree that these regulations adequately cover the requirements for boarding schools relating to staff accommodation? If not, why not?**

X Yes

No

Not Sure

Comments:

Adults have a choice and can protest in cases where accommodation is not suitable.

## Washrooms (ISSs & SPRs)

### Proposed simplified regulation -

#### *Toilet and washing facilities*

1) *Subject to paragraph (3), suitable toilet and washing facilities must be provided for the sole use of pupils.*

2) *Separate toilet facilities must be provided for boys and girls aged 8 years or over, except where they are provided for use by one pupil at a time*

3) *Where separate facilities are provided under paragraph (1) for pupils who are disabled, they may also be used by staff and visitors who are disabled.*

4) *Suitable changing accommodation and showers must be provided for pupils aged 11 years or over who receive physical education.*

**Q5) Do you agree that this adequately covers the requirements for toilet and washing facilities? If not, why not?**

Yes

X No

Not Sure

Comments:

'Suitable' fails to adequately set out the standards of even the most basic of provision, unless it is cross referenced to guidelines that give more detail.



## Medical facilities (ISSs & SPRs)

### Proposed simplified regulation -

#### **Medical accommodation**

- 1) Suitable accommodation must be provided in order to cater for the medical and therapy *needs of the pupils, including accommodation for-*
  - a. *the medical and dental examination and treatment of pupils; and*
  - b. *the short term care of sick and injured pupils, which includes or is adjacent to a toilet facility.*
- 2) *The accommodation provided under paragraph (1) may be used for other purposes (apart from teaching) provided it is always readily available to be used for its primary purpose.*
- 3) *Where a school caters for pupils with complex needs additional medical accommodation must be provided which caters for those needs.*

**Q6) Do you agree that this adequately covers the requirements for medical facilities? If not, why not?**

X Yes

No

Not Sure

Comments:

## Health, Safety and Welfare (ISSs & SPRs)

### Proposed simplified regulation -

#### **Health, safety and welfare**

- 1) *School premises and the accommodation and facilities provided therein must be maintained to a standard such that, as far as reasonably practicable, the health, safety and welfare of the pupils is ensured.*

**Q7) Do you agree that this adequately covers the requirements for health, safety and welfare? If not, why not?**

Yes

X No

Not Sure

Comments: As worded this appears to refer to maintenance of provision rather than the provision itself. It is essential that the basic level of provision is set out, in particular the external provision where unstructured time is spent and opportunities for social development, positive social interaction, active and passive play should take place all of which contributes to health and well-being of young people. This is especially important because too little attention is currently being paid to simple provision of different types of seating or of play facilities etc in an environment designed specifically to meet the needs of young people, the only environment designed for young people. With high levels of well-being comes a transformation to attitudes to learning. See more comments below.

### **Lighting (ISSs & SPRs)**

#### ***Lighting***

- 1) *The lighting in each room or other internal space must be suitable, having regard to the nature of the activities which normally take place therein.*
- 2) *External lighting must be provided in order to ensure safe entry to and exit from the school for pedestrians before and after daylight hours.*

**Q8) Do you agree that this adequately covers the requirements for lighting? If not, why not?**

X Yes

No

Not Sure

Comments:

### **External space (ISSs & SPRs)**

#### **Proposed simplified regulation -**

##### ***Outdoor space***

- 1) *Suitable outdoor space must be provided in order to enable-*
  - a) *physical education to be provided to pupils in accordance with the school curriculum; and*
  - b) *pupils to play outside safely.*

**Q9) Do you agree that this adequately covers the requirements for external space? If not, why not?**

Yes No Not Sure

Comments: 'Suitable' is too open to interpretation. As this involves land which is valuable, a minimum requirement must be specified to cover team and individual physical activities as well as a variety of landscape types to meet the social development and play facilities for young people. At the same time the external environment can and should provide the opportunity for young people to learn through direct experience outside the classroom, connecting with those young people whose learning preferences is through direct contact and action. Evidence exists of the benefits to health and well-being of reconnecting young people with natural systems.

There is a need to specify a minimum requirement per pupil of each of the various landscape types to meet all these outcomes in support of child development. At the same time the quality of spaces needs to be described to include scale, micro-climate, connectivity and management standards.

### **We propose removing the following regulations**

#### **Regulations set out in both ISSs and SPRs**

- 1) ***Ancillary facilities - food preparation and service***
- 2) ***Load bearing structures***
- 3) ***Weather protection***
- 4) ***Fire safety and emergency evacuations***
- 5) ***Heating***
- 6) ***Ventilation***
- 7) ***Drainage***

***Further details of these regulations can be found in Chapter 5 of the consultation document.***

**Q10) Do you agree that these regulations, which are common to both the ISSs and SPRs, can be removed? If not, why not**

 Yes No Not Sure

Comments:

**Regulations contained in the ISSs only**

- 1) ***Security***
- 2) ***Shared premises***
- 3) ***Access***
- 4) ***Cleanliness***
- 5) ***Standard of decoration***
- 6) ***Furniture and fittings***
- 7) ***Flooring***
- 8) ***Size of classrooms***

***Further details of these regulations can be found in Chapter 5 of the consultation document.***

**Q11) Do you agree that these regulations in the ISSs can be removed?  
If not, why not?**

X Yes

No

Not Sure

Comments:

### Regulations contained in the SPRs only

- 1) *Staff accommodation*
- 2) *Ancillary facilities - storage and circulation*

**Q12) Do you agree that these regulations in the SPRs can be removed?  
If not, why not?**

X Yes

No

Not Sure

Comments:

### Supplementary information

As with the current SPRs, the new premises regulations will be supported by guidance that describes the minimum standards, and advises on how they can be satisfied. A draft of this guidance is set out in **Annex C**.

**Q13) Do you agree that the information set out in support of the proposed regulations is accessible and adequate? If not, why not?**

X Yes

No

Not Sure

Comments: On the condition that the guidance is seen as essential to be met.

## Protection of playing fields

To ensure that existing school playing fields are protected to provide for the future needs of schools and their communities, new draft guidance has been produced (see Annex D). This describes the main circumstances in which local authorities, governing bodies, foundation bodies and trustees need to seek the consent of the Secretary of State for Education to dispose, or change the use, of playing field land used by schools. It also describes how the Secretary of State will assess applications for consent to dispose, or change the use, of such land

**Q14) Do you agree that the information set out in this guidance is accessible and adequate? If not, why not?**

Yes

X No

Not Sure

Comments: Finance – all capital receipts must be redirected back into the educational external environment to meet the education, social, play, well-being and health of young people. The reason for this is the years of underinvestment in the external environment surrounding our schools by the nation, which is amongst the most impoverished landscapes anywhere in the country, in either the public or private realms.

Currently the needs of other schools within prescribed radii are taken into account when disposals are considered – these need to be reinstated back into this guidance.

If the minimum area guidelines are lost from regulations and guidance then the work of the S77 Panel would be impossible and protection of playing fields will be lost.

Currently there are around 5,500 pages of departmental guidance on the design and management of school premises available in hard copy and/or on-line. Some of this is out of date, or has been superseded by later documents, while other material could be much more concise.

The guidance is categorised as -

- **Regulatory guidance** - in addition to the guidance supporting the SPRs there is also material in three building bulletins setting out requirements for compliance with parts of the Building Regulations, and how compliance can be achieved.
- **Building Bulletins** - design guidance covering whole school, or elements of schools, and/or technical guidance, best practice and case studies.
- **Other design guidance** - not in the building bulletins series.
- **Exemplar designs** - schools for the future and similar case studies.
- **Managing School Facilities Guides** - advice mainly to existing schools.
- **Standard Specification, Layouts and Dimensions** - covering a number of building elements.

- **Asset Management Plans** - guidance on assessing the condition, suitability and sufficiency of buildings.

Our objective is to reduce significantly the amount of guidance available. To do this we will withdraw all documents that are of limited value and streamline the rest (see **Annex E**). The streamlining will involve restructuring how the guidance is presented (see **Annex F** for a possible restructuring).

**Q15) Which of the current guidance documents do you particularly value and why?**

Comments: BB71 The Outdoor Classroom and BB85 School Grounds – A Guide to Good Practice – We now know that transforming the external environment to our schools into a rich variety of landscapes does transform attitudes to learning, reduces vandalism, reduces accidents, encourages positive social interaction and can provide a valuable teaching resource across the whole curriculum – meeting many children’s learning style preference. There are also a range of new imperatives to make improve school grounds, such as reconnecting young people with nature, reconnecting young people with food growing, connecting young people with sustainable development and sustainable management of natural resources, connecting with climate change and letting the imagination run wild! These guidance documents give licence to teachers, parents, Governors, private enterprise, voluntary and public sectors to stimulate improvements to the external spaces around our schools.

**Q16) Do you agree that the proposed streamlining of guidance is appropriate? If not, why not?**

X Yes

No

Not Sure

Comments: Where there is duplication, where information is out of date but up to date guidance is essential.

Thank you for taking the time to let us have your views. We do not intend to acknowledge individual responses unless you place an 'X' in the box below.

**Please acknowledge this reply X**

Here at the Department for Education we carry out our research on many different topics and consultations. As your views are valuable to us, would it be alright if we were to contact you again from time to time either for research or to send through consultation documents?

X Yes  No

All DfE public consultations are required to conform to the following criteria within the Government Code of Practice on Consultation:

Criterion 1: Formal consultation should take place at a stage when there is scope to influence the policy outcome.

Criterion 2: Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.

Criterion 3: Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.

Criterion 4: Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.

Criterion 5: Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.

Criterion 6: Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.

Criterion 7: Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

If you have any comments on how DfE consultations are conducted, please contact Carole Edge, DfE Consultation Co-ordinator, tel: 01928 738060 / email: [carole.edge@education.gsi.gov.uk](mailto:carole.edge@education.gsi.gov.uk)

**Thank you for taking time to respond to this consultation.**

Completed questionnaires and other responses should be sent to the address shown below by 26 January 2012



Send by post to:

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Great Smith Street  
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