

2012 No. 1943

EDUCATION, ENGLAND AND WALES

The School Premises (England) Regulations 2012

Made - - - - *19th July 2012*

Laid before Parliament *30th July 2012*

Coming into force - - *31st October 2012*

The Secretary of State for Education makes the following Regulations in exercise of the powers conferred by section 542(1) and 569(4) of the Education Act 1996(a).

Citation, commencement and application

1.—(1) These Regulations may be cited as the School Premises (England) Regulations 2012 and come into force on 31st October 2012.

(2) These Regulations apply to all schools maintained by local authorities in England.

Interpretation

2.—(1) In these Regulations “physical education” includes the playing of games.

(2) Any requirement that anything provided under these Regulations must be “suitable” means that it must be suitable for the pupils in respect of whom it is provided, having regard to their ages, numbers and sex and any special requirements they may have.

(3) For the purposes of these Regulations a pupil has “special requirements” if the pupil has any needs arising from physical, medical, sensory, learning, emotional or behavioural difficulties which require provision which is additional to or different from that generally required by children of the same age in schools other than special schools.

Amendment

3. In the Education (School Premises) Regulations 1999(b) after regulation 1, insert—

“Application

1A. These Regulations apply in relation to all schools maintained by local authorities in Wales.”.

(a) 1996 c. 56. Section 542(1) was amended by paragraph 158(1) of Schedule 30 to the School Standards and Framework Act 1998 (c.31) and S.I. 2010/1158. For the meaning of “prescribed” and “regulations” see section 579(1).
(b) S.I. 1999/2.

Toilet and washing facilities

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

(2) Separate toilet facilities for boys and girls aged 8 years or over must be provided except where the toilet facility is provided in a room that can be secured from the inside and that is intended 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 other pupils, teachers and others employed at the school, and visitors, whether or not they are disabled.

(4) Suitable changing accommodation and showers must be provided for pupils aged 11 years or over at the start of the school year who receive physical education.

Medical accommodation

5.—(1) Suitable accommodation must be provided in order to cater for the medical and therapy needs of pupils, including accommodation for —

- (a) the medical examination and treatment of pupils; and
- (b) the short term care of sick and injured pupils, which includes a washing facility and is near 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 the purpose set out in paragraph (1).

(3) Where a school caters for pupils with complex needs, additional medical accommodation must be provided which caters for those needs.

(4) For the purposes of this regulation, a pupil has “complex needs” if the pupil has profound and multiple learning difficulties in addition to other significant difficulties, such as a physical disability or sensory impairment, which require provision which is additional to or different from that generally required by children of the same age in schools other than special schools or by children with special requirements.

Health, safety and welfare

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

Acoustics

7. The acoustic conditions and sound insulation of each room or other space must be suitable, having regard to the nature of the activities which normally take place therein.

Lighting

8.—(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 that people can safely enter and leave the school premises .

Water supplies

9.—(1) Suitable drinking water facilities must be provided.

(2) The facilities provided under paragraph (1) will be suitable only if—

- (a) they are readily accessible at all times when the premises are in use; and
- (b) they are in a separate area from the toilet facilities.

(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 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.

Outdoor space

10.—(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.

(2) This regulation does not apply to pupil referral units.

19th July 2012

Jonathan Hill
Parliamentary Under Secretary of State
Department for Education

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations apply to schools maintained by local authorities in England (including pupil referral units).

They set out the standards required of all schools to which the Regulations apply (*regulations 4 to 10*).

An impact assessment has been prepared for these Regulations and is available from the Department for Education. It is also annexed to the Explanatory Memorandum which is published alongside this instrument on www.legislation.gov.uk.

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