



WICKERSLEY
PARTNERSHIP
TRUST.

HEALTH AND SAFETY STANDARDS FOR ACADEMY PREMISES

To be used with the Health & Safety Policy Statement

UPDATED November
2018

This policy has been adopted and amended for the Trust from Rotherham MBC policy.

Related Documents:

The Education (School Premises) Regulations 1999
(for England only) section 77 of the School Standards and Framework Act 1998 and
DfES Circular 3/99, *The Protection of School Playing Fields*

Overview

This guidance describes, and advises on meeting, the minimum standards for the premises of all maintained schools in England and Wales.

Non-maintained special schools and approved independent schools must also meet some of these standards.

Action: To ensure the Academies within the Trust meet the standards which now apply

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EXECUTIVE SUMMARY

1. The legislation described in this guidance is The Education (School Premises) Regulations 1999. In this guidance, we call these 'the Regulations'. They came into force on 1 February 1999.
2. The Regulations:
 - set minimum standards for the premises of all existing and new maintained schools in England and Wales and they require that
 - the premises of non-maintained special schools, and
 - approved independent schools suitable for the admission of children who have special educational needs conform to some of the standards contained within them.
3. The two major changes to the previous (1996) regulations are to:
 - introduce measures to protect existing team game playing fields, by requiring the Secretary of State's consent to count alternative facilities against the minimum area standards
 - bring equality to team game playing field minimum area standards, by bringing standards for special schools into line with those for other maintained schools/Academies

and the nine minor changes are to:

correct an error by stating that, in the case of a school with pupils who have not attained the age of 5 years, at least one (instead of one only) shower, bath or deep sink must be provided for every 40 pupils aged under 5 years

clarify that washrooms may be provided for staff and visitors together increase flexibility by allowing self-contained washrooms for any single user among staff, visitors and pupils to include one shower or deep sink, as well as the one water closet and one washbasin which was already required

update the standard that medical accommodation be provided so that its purpose is defined as being for 'the medical and dental examination of pupils and for the care of sick and injured pupils' and that its provision need not be only for the school day

include a standard that premises allow for the serving of food and drinks, in addition to existing requirements for the preparation of food and drinks
introduce a standard that the location of washrooms, baths and showers provided for boarding pupils must be appropriate in relation to their sleeping accommodation

allow, rather than require, accommodation provided for day time use to be counted towards the minimum area standards for boarding provision

extend to deep sinks provided for very young children a standard that they must have a supply of both cold and hot water, and to

clarify that team game playing fields with a synthetic or polymeric surface, as well as those with a hard porous surface already provided for in regulations, may be counted as twice their actual size for the purposes of the prescribed minimum area of team game playing fields.

Part 1 – Background

4. The Education Act 1996* places a duty on the Secretary of State to prescribe standards for the premises of maintained schools. These are called 'prescribed standards' which, in this guidance, are referred to as 'standards'. This Circular describes the standards and provides non-statutory guidance about them. The Education Act 1996 empowers the Secretary of State to relax prescribed standards in certain circumstances. Details are given in paragraphs 114-123.

Schools covered by the Regulations

5. The Regulations apply to all existing and new schools maintained by a local education authority that is, to nursery, community, community special, foundation, foundation special and voluntary schools and to pupil referral units. Under the Regulations for non-maintained schools*, their premises are subject to the same standards as are maintained special schools. Under the Regulations for independent schools**, the premises of an independent school approved by the Secretary of State for children with special educational needs must conform to the same standards as must maintained special schools.

Land and buildings covered by the Regulations

6. The Department regards a school's premises as all the land and all the buildings provided for the school, including both permanent and temporary buildings and detached playing fields. A dwelling house for a member of staff is not normally considered part of the school premises.

Responsibility for conformity

7. Responsibility for ensuring that school premises conform to minimum standards is shown in the table below.

Responsibility falls to the	for the following categories of school
Local Education Authority	Nursery Community Community special Voluntary Foundation Foundation special Pupil referral unit
Local Academy Board & Trustees	Non-maintained special
Proprietor	Approved independent

8. The body that must ensure school premises conform to the prescribed standards is, in the rest of this Circular, called the 'body responsible'

The Office for Standards in Education (OFSTED)

9. OFSTED is not responsible for ensuring that school premises conform to the Regulations. But the OFSTED Handbooks (1999) for the inspection of nursery and primary schools, secondary schools, and special schools and pupil referral units, do include guidance on judging the adequacy of accommodation, in full inspections. The common criterion against which inspectors make their judgements is the extent to which 'the accommodation allows the curriculum to be taught effectively'. Each Handbook (1999) contains further details appropriate to the phase and type of school.

Normal number of pupils

10. Some standards vary according to the 'normal number' of pupils. The Regulations define the normal number as 'the normal number of registered pupils at the school of the specified age, or who are boarding pupils, taking one year with another' which those responsible for setting it determine is the case. The use of the normal number prevents schools from breaching standards because of a temporary bulge in pupil numbers. The normal number should not be confused with measures of a school's capacity, such as the More Open Enrolment formula, Standard Number or the published admission limit.

Who sets the normal number?

11. The Regulations state that:

for a community, community special or a nursery school which is not a special school, or for a pupil referral unit, the normal number is set by the local education authority, and that

for a foundation, foundation special or voluntary school, the normal number is set by the Local Academy Boards, in agreement with the local education authority

12. Whoever is responsible for setting the normal number must take into account any numbers specified in, or inferred from, any relevant statutory proposals, such as those to open, close or reorganise the school*.

Setting the normal number

13. The normal number remains constant until the body responsible decides to change it. Consideration should be given to changing the normal number if the number of pupils on roll at the beginning of an autumn term exceeds significantly the current normal number. The Regulations do not define a 'significant increase': this will be decided locally. Bodies responsible should be alert to gradual increases in roll which might add up to a significant increase over time.

Part-time attendance

14. Two pupils who attend for half a session each day are counted as a single pupil when setting the normal number

Ages of pupils

15. The ages of children aged 5 and older are defined as their ages on the day before the start of the autumn term. These ages apply for the whole of that academic year.

Children under 5 years old

16. Two different rules are used to determine the ages of children under 5: Children who reach 5 during an academic year, and then start school, are treated as though they were 5 immediately before the start of that academic year.
Children admitted to reception classes (not nursery classes) at 4 or older, are treated as though they were already 5 on admission.

Disregarding small numbers

17. Some standards depend on whether a school has pupils of a given age. Small numbers outside the age limits may be disregarded. So, for example, if up to 2% of the total or 2 pupils, whichever is the greater, is outside the normal age range for the school, they do not count for the purposes of the Regulations. A 500 pupil 11-18 secondary school with a few 10 year olds starting secondary school a year early would not have to change its designation as an 11-18 school, as long as the 10 year olds made up less than 2% of the school's roll.

Part II – School facilities

18. The Regulations set minimum standards for pupils' washrooms. Additional standards for boarding schools are described in paragraphs 56 to 60.

Washrooms for pupils

19. A washroom is a room containing at least one sanitary fitting (defined as a water closet or a urinal) and at least one washbasin.

Distribution

20. The Regulations do not specify what should be the distribution of washrooms, but the facilities must be adequate for the ages, sex and numbers of pupils and any relevant special requirements they may have. The body responsible must ensure adequate access for pupils, taking into account the typically high demand during relatively short break times. For pupils with special requirements, see paragraph

Basic number of sanitary fittings

21. Washrooms for pupils must have a 'basic number' of sanitary fittings.

This is *for mainstream schools*:

the number equivalent to 10% of the number of pupils who are under 5, plus the number equivalent to 5% of the number of pupils who are 5 and over

for special schools

the number equivalent to 10% of the number of pupils, whatever their ages.

22. In all cases the result of calculations should be rounded up to the nearest whole, even number.
23. The basic number of sanitary fittings may include those contained in a washroom provided for persons using the premises who are disabled, if they are also provided for pupils (see paragraph 36). In a school with both male and female pupils over 8, this flexibility is qualified. The sanitary fittings provided in such a washroom may count towards the basic number only if there are at least two other washrooms for pupils.
24. The calculation is less obvious where trough urinals are provided. We recommend that bodies responsible follow Health and Safety guidance* that every 600mm of a trough urinal be counted as one fitting.
25. The existence of the basic number of sanitary fittings does not mean that all the relevant standards have been met.

Washbasins and sinks

26. The minimum number of washbasins required depends on several factors, including the number and ages of pupils at the school. So,

for schools where the majority of pupils are under 11:

there must be at least as many washbasins as the basic number of sanitary fittings. The Regulations do not prescribe a ratio of washbasins to sanitary fittings for each individual washroom. It is for the body responsible to determine this, and

for schools where the majority of pupils are 11 or older:

washrooms with one sanitary fitting must contain at least one washbasin
washrooms with two sanitary fittings must contain at least two washbasins, and
in washrooms containing three or more sanitary fittings, the number of washbasins must be at least two thirds the number of sanitary fittings in every washroom.

27. In washrooms for male and female pupils under 8, and in all washrooms which are solely for female pupils, the sanitary fittings must all be water closets. In washrooms which are solely for male pupils, the fittings may include urinals. The Regulations do not specify a ratio of urinals to water closets. As a guide, we suggest that at least one third of all the fittings provided for male pupils should be water closets.

Separate washrooms for male and female pupils

28. Schools must have separate washrooms for those male and female pupils who are aged 8 or older. Exceptions may be made for facilities for disabled users (see paragraph 36). If mixed provision for children under 8 already exists it may be kept. But simultaneous use by boys and girls younger than 8 is not recommended, except for nursery aged children. Here, supervision may be more important than privacy.

Facilities for pupils aged 5 years and younger

29. Nursery schools and other schools with pupils under 5 must have one shower, bath or deep sink for every 40 of those pupils. The number must be rounded up to the nearest multiple of 40. So, a school with 50 pupils under 5 must round that number up to 80. Such a school would need at least two items from the list. They may count towards this any shower or deep sink provided in a washroom for use by children and adults (see paragraph 36). This ensures that there are adequate facilities for cleaning soiled children and clothing. Children using showers, baths or deep sinks should have an appropriate degree of privacy. It would be inappropriate for a deep sink intended for cleaning soiled children, however young, to be in a classroom or any other communal area. Bodies responsible should consider what degree of privacy is appropriate.

Changing accommodation and showers

30. Schools with pupils over 11 who engage in physical education must have changing rooms with showers and these must be accessible from the school grounds and from any part of the school buildings used for physical education. The body responsible may provide changing rooms, with or without showers, for pupils under 11, and this is often desirable.
31. We recommend a ratio of one shower to every 7 pupils (see DfES Building Bulletin 82, *Area Guidelines for Schools* available at www.teachernet.gov.uk/sbareguidelines.) More showers per pupil may be desirable where outdoor games are played. The body responsible should also consider the often short time available to pupils for showering when considering how many showers to provide.

Privacy in changing accommodation and showers

32. There is a general standard that all parts of the premises must be such as to ensure the health, safety and welfare of the occupants. Pupils' welfare may be a particular issue when showering and changing.

33. Shower and changing accommodation needs to balance the needs for privacy and supervision, and be cost effective. There has been a general move away from traditional communal showering arrangements. Because of special needs or, perhaps, because of religious beliefs, the welfare of some pupils may demand stringent privacy. Privacy is a particular issue for boarding schools (see DfES Building Bulletin 84, *Boarding Accommodation: A Design Guide*). Staggering usage may solve some privacy issues and avoid the need to adapt existing communal changing rooms and showers.

Washrooms for staff

34. Staff washrooms must be adequate for the number of staff working at the school. The Regulations do not specify the number of staff washrooms to be provided, but Health and Safety guidance* suggests appropriate levels of sanitary and washing facilities for employees. This includes showers for staff where their work is particularly strenuous, dirty or results in contamination of the skin by harmful or offensive materials. The body responsible must determine what work at the school is dirty or strenuous and for which showers should be provided, but staff engaged in physical activities, and in some practical ones, may reasonably expect showers and washing facilities to be provided.

Pupils' washrooms to be separate from those for staff and visitors

35. Washrooms provided for staff, or for staff and visitors, must be separate from washrooms provided for pupils, although washrooms for disabled users may be provided for anyone among staff, visitors and pupils (see paragraph 36). Labelling entrances is a sensible precaution which many schools adopt. It can be especially helpful to those who are unfamiliar with the site.

Washrooms for anyone among staff, visitors and pupils

36. It is common to provide a specific washroom for pupils who have disabilities. Such a washroom typically would include a water closet and washbasin, if not a changing bench and, perhaps, a shower. With a design of this kind, only one person will be using the facility at any one time, although adult helpers may be in attendance. The standard that washrooms for staff and visitors must be separate from those for pupils does not apply. This is the case provided that the washroom:

makes provision (as far as it is practicable and reasonable to do so) for the needs of persons using the premises who are disabled

contains only one washbasin and water closet and, if desired, only one shower or deep sink, and provided that the washroom

may be locked from the inside and opens directly onto a circulation space, other than stairs.

37. A urinal or shower may not be included in such a washroom. A shower or deep sink provided in such a room may count towards the minimum number of showers, baths or deep sinks required for children under 5 (see paragraph 29). All the facilities in these washrooms should be designed with the intended disabled user in mind.

Washrooms provided for pupils who have disabilities

38. The location, size, layout and fixtures of effective facilities to meet special needs demands careful and detailed consideration. Needs can rarely be met simply by offering a separate room with its own washbasin. So, for example, schools may need a mobile, height-adjustable trolley in which the pupil may sit for showering, which allows helpers to assist from both sides. Allowing room for more than one adult helper and bulky lifting equipment can pay dividends. And, at the same time, thought needs to be given to balancing the competing needs for assistance, supervision and privacy. DfES Building Bulletin 77, *Designing for Pupils with Special Educational Needs: Special Schools*, Building Bulletin, 84, *Boarding Accommodation: A Design Guide*, and Building Bulletin 91, *Access for Disabled People to School Buildings: Management and Design Guide*, offer guidance on designing for pupils with special needs.

Medical accommodation

39. Every school must have a room appropriate and readily available for use for medical or dental examination and treatment and for the caring of sick or injured pupils. It must contain a washbasin and be reasonably near a water closet. It must not be teaching accommodation.
40. If this room is used for other purposes as well as for medical accommodation, the body responsible must consider whether dual use is satisfactory or has unreasonable implications for its main purpose. So, for example, if staff accommodation is also used as medical accommodation, can the disruption caused to teachers, and the likely or actual frequency of that disruption be justified? If a staff room plays such a dual role, the body responsible will need to satisfy itself that staff still have access to the staff accommodation stipulated in paragraph 43. There are separate rules about medical accommodation in boarding schools (see paragraph 63).

Staff accommodation

41. There are specific standards for accommodation provided exclusively for staff.

Head Teacher's room

42. Every nursery, special and other maintained school with more than 120 pupils, except for a pupil referral unit, must have a Head Teacher's room. Schools with 120 or fewer pupils, or pupil referral units, may have a Head Teacher's room.

Staff room

43. Every school, except a pupil referral unit, must have accommodation (separate from teaching accommodation) for teachers to use for work and for social purposes. Whether similar accommodation should be provided in a pupil referral unit is a matter for the maintaining local education authority. Whether visitors or non-teaching members of staff have a right of access to these facilities is not covered by the Regulations, but they are explicit in that the accommodation provided for work and for social purposes must be provided for teachers. Some schools have an inclusive approach and open up social accommodation to all members of staff, even if areas reserved for teaching-related work have more restricted access.

Ancillary facilities

44. School buildings must provide appropriate ancillary facilities. This is a general standard, but the Regulations are more specific in three respects. The buildings must

allow for storing and drying pupils' outdoor clothing and other belongings
allow for the preparation or serving of food and drinks and the washing of crockery and other utensils, and the buildings must

allow for the safe and convenient passage of people and the movement of goods within the buildings.

Storing pupils' own food

45. In the case of sandwiches and similar items brought to school as a meal, bodies responsible should consider providing adequate facilities, such as cold storage.

Storing pupils' books and other belongings

46. There must be facilities for storing pupils' belongings. Given parents' concerns about school children carrying heavy books and other materials to, and around school, bodies responsible should think carefully about how best to meet this standard.
47. The amount and location of storage facilities needed will vary according to the number and ages of pupils. Storage must be convenient for pupils to use and not situated in places where bullying is possible. Storage in a classroom may be ideal if pupils take most of their lessons in that one room, but this will restrict access for pupils who move between rooms for lessons.
48. Storage facilities must be of a type and design suitable for pupil use. Common problems with, for example, lockers, are that they may not be of sufficient quality, keys may be lost or combinations forgotten. Stacked lockers may mean that some pupils have to reach up into them, while others must kneel or sit on the floor to use them.

Storing pupils' bicycles

49. The Government promotes cycling for the school journey and the absence of cycle storage facilities can be a major obstacle to achieving this. Bodies responsible should consider whether storage facilities for bicycles are appropriate in number, design, location and security (see *A Safer Journey to School: A Guide to School Travel Plans for Parents*, and *School Travel Strategies and Plans: A Best Practice Guide for Local Authorities* (Department of the Environment, Transport and the Regions). Schools concerned about their liability for pupils' bicycles while on school premises may refer to the DfES's guidance letter of 26 November 1999, *Cycling for the School Journey*. Pupils cycling to school in wet weather may need dedicated storage for particularly wet clothing, or even access to changing rooms.

Part III – School accommodation – provisions applying only to boarding schools

50. The Regulations set standards for boarding accommodation. DfES Building Bulletin 84, *Boarding Accommodation: A Design Guide*, gives further non-statutory guidance.

Sleeping accommodation

51. A school must provide adequate sleeping accommodation for all its boarding pupils. Although the law does not prevent boys and girls aged 8 and younger sharing sleeping accommodation, providing mixed accommodation is not recommended. Pupils aged 8 and older must not share sleeping accommodation with pupils of the opposite sex. There are minimum floor areas for pupils' dormitories, cubicles and bedrooms and these are described below. Nothing in the Regulations prevents these standards from being exceeded.

Dormitories

52. To find the minimum floor area which must be provided for a dormitory multiply the number of pupils sleeping in the dormitory by 4.2m^2 , and add 1.6m^2 to the result.
53. There must be a distance of at least 0.9m between any two beds in a dormitory.

Cubicles

54. A cubicle for a single pupil must have its own window and a minimum floor area of 5.0m^2 . The Regulations allow for cubicles on the grounds that, in limited circumstances, they may provide the best solution to needs. However, Building Bulletin 84, *Boarding Accommodation: A Design Guide*, explains that the use of low-level partitioning to form cubicles is unlikely ever to meet modern expectations. It makes clear that bedrooms are preferred even to cubicles formed from high-level partitioning.

Bedrooms

55. A bedroom for a single pupil must have a minimum floor area of 6.0m^2 .

Washroom accommodation

56. Boarding schools must have water closets, washbasins, baths and showers which:
- are reasonably accessible to the sleeping accommodation
 - are in an appropriate location for use by boarders
 - are adequate for the ages, sex and numbers of boarders
 - meet any special requirements which boarders may have, and which
 - are never fewer in number than the minimum number prescribed.

57. Washroom facilities must be distributed throughout the school buildings so that boarding pupils can reach them without undue difficulty. They must be in an appropriate location for use by boarders to ensure that proper account is taken of the added vulnerability of children moving to and from these facilities, and using them. Boarders may have added vulnerability for a variety of reasons, for example, because staffing levels are low compared to day-time provision, or because staff may not be within the immediate vicinity of all parts of all routes to these facilities, or of the facilities themselves, or because the use of routes flanked by extensive glazing may be undesirable for pupils wearing night-wear.
58. There must be at least one water closet for every 5 boarding pupils, and at least one washbasin for every three of the first 60 boarding pupils, for every four of the next 40 boarding pupils, and for every 5 further boarding pupils. The number of pupils taken into account when calculating the number of water closets and washbasins required must always be rounded up to the next multiple of 3, 4 or 5 as appropriate. So, a school with 30 boarding pupils would need 6 water closets and 10 washbasins. But a school with 31 boarding pupils would need 7 water closets and 11 washbasins.
59. Sanitary fittings provided in washrooms for pupils that are not part of the boarding accommodation may be counted towards the minimum:
- reasonably accessible to the sleeping accommodation, and if they are in an appropriate location having regard to their use by boarding pupils.
60. There must be at least one bath or shower for every 10 boarding pupils, the number being rounded up to the next multiple of 10. At least 25% of that minimum number must be baths. A school with 30 boarding pupils would therefore need 3 fittings, at least one of which must be a bath. A school with 31 boarding pupils would need 4 fittings, at least one of which must be a bath.

Living accommodation

61. All boarding schools must include living accommodation for the boarding pupils (both for private study outside school hours and for social purposes) with a total floor area of at least 2.3m² for each pupil. Social areas such as common rooms, games rooms and television rooms should be included in the calculation, as should areas set aside for private study outside school hours. Other areas in which pupils socialise also count as living accommodation. These will vary from school to school, but may include kitchens where pupils prepare hot drinks or snacks and other, informal, meeting areas. The following rooms or spaces may be taken into account when calculating the minimum area

study bedrooms/cubicles, if some or all of the sleeping accommodation comprises these, and

school accommodation, if this is adjacent to the boarding accommodation and if pupils can appropriately use it as living accommodation outside school hours.

Accommodation for the preparation and consumption of meals

62. All boarding schools must have somewhere to prepare or serve meals for boarding pupils and also somewhere for pupils to eat meals. This can be outside the boarding accommodation, provided it is part of the school, adjacent to the boarding accommodation and appropriate for preparing and consuming meals.

Sick rooms

63. A boarding school must have one or more sick rooms. If it has more than 40 boarders, there must be one or more separate isolation rooms and associated facilities, such as baths, washbasins and water closets. In a school with both male and female boarders aged 8 or older, separate sick rooms must be provided for boys and girls. There must be a floor area of at least 7.4m² for each bed, and a distance of at least 1.8m between beds. If cubicles are provided, each cubicle must have its own window. The standard to have baths, washbasins and water closets does not prevent the provision of additional facilities, such as showers.

Staff accommodation

64. Accommodation provided for residential staff, whether teachers or otherwise, must be separate from accommodation provided for boarding pupils. The staff accommodation must include somewhere for the staff to eat, somewhere for them to sleep and an appropriate number of baths, showers, washbasins and water closets. Note that the Regulations do not define what is an 'appropriate' number of baths, showers, washbasins and water closets for residential staff.

Storage facilities

65. There must be adequate storage facilities for pupils' belongings. We recommend that each boarding pupil has some secure storage for belongings. This might include, as a minimum, a lockable part of a locker. There must be adequate facilities for the storage and care of linen.

Part IV – Structural requirements etc

66. There are standards for a range of structural and related matters and DfES Building Bulletin 87, *Guidelines for Environmental Design in Schools* (revision of Design Note 17), provides practical guidance on meeting these, particularly those relating to acoustics, lighting, heating, ventilation and water supplies. DfES Building Bulletin 83, *Schools' Environmental Assessment Method (SEAM)*, includes advice on ventilation, lighting, water quality and health and safety. For those designing new accommodation, DfES Building Bulletin 79, *Passive Solar Schools: A Design Guide*, may also be helpful.

Load-bearing structure

67. Any load-bearing structure in a school building must be capable of safely sustaining and transmitting the dead load and imposed loads, and the horizontal and inclined forces, to which it is likely to be subjected, including snow-loading, particularly on flat roofs.

Weather protection

68. School buildings must be reasonably resistant to penetration by rain, snow, wind and moisture rising from the ground.

Health, safety and welfare

69. The body responsible must make sure that the condition of school premises provides reasonable assurance of occupants' health, safety and welfare. This means, for example, that there should be sufficient space to avoid overcrowding, that good hygiene should be possible and that safety surfaces should be provided, where appropriate.

Fire

70. Every part of a school's premises must allow for the safe escape of the occupants in case of fire. In particular, the Regulations state that attention must be given to:
- the likely rate at which flames would spread across exposed surfaces
 - the resistance to fire of the structures and of the materials of which the structures are made and their properties, and to
 - the means of escape in case of fire.
71. During 2000, the Department will publish general advice on fire matters in Managing School Facilities Guide 6, *Fire Safety*.

Asbestos

72. There are potential risks posed to employees, pupils, other occupants of school buildings and contractors working in them, by the presence of asbestos in buildings, including hidden asbestos. The Regulations do not refer specifically to asbestos but the health, safety and welfare standard mentioned in paragraph 69 is relevant here.
73. Moving, or otherwise disturbing, asbestos which is in a sound condition can cause a health hazard. DfES Administrative Memorandum 3/86, *The Use of Asbestos in Educational Establishments* and *Asbestos in Educational Buildings* advise that asbestos should be left in place, unless it is in a dangerous state. Additional guidance can be found in section 17, 'Asbestos in existing buildings', of DfES Building Bulletin 83, *Schools' Environmental Assessment Method (SEAM)*. Legislation limits who may remove asbestos and employers must ensure that contractors are aware of its presence. The Health and Safety Executive publishes a number of guidance leaflets, including *Contractors in Schools: Information for Head Teachers, School Governors and Bursars*.

Exposure to sunshine

74. There is no specific legislation covering exposure to sunshine. Personal protection against sunshine in the form of head wear or creams falls outside the scope of the Regulations and, therefore, of this guidance. But bodies responsible may wish to carry out a risk assessment, and consider how to manage the risks. These risks might include exposure to sunshine and possible management solutions might include shelter or shade. Paragraph 8.76 of DfES Building Bulletin 85, *School Grounds: A Guide to Good Practice*, elaborates on the use of trees and other shade-providing structures.

Practical areas

75. There are no specific standards for practical areas. The body responsible must ensure that the facilities provided for pupils are satisfactory, taking into account any special educational needs which pupils might have. However, there is increasing concern among teachers about safety within rooms provided for practical activities. For new secondary accommodation, non-statutory guidance is available in DfES Building Bulletin 81, *Design and Technology Accommodation in Secondary Schools: A Design Guide* and in DfES Building Bulletin 80, *Science Accommodation in Secondary Schools: A Design Guide*. DfES Building Bulletin 89, *Art Accommodation in Secondary Schools*, may also be helpful. For practical activities in primary schools, some design guidance is provided in DfES Building Bulletin 82, *Area Guidelines for Schools*.

Acoustics

76. The acoustic conditions and noise insulation of rooms and other spaces in a school must be appropriate for their normal use. In addition to Section A, 'Acoustics', of DfES Building Bulletin 87, *Guidelines for Environmental Design in Schools (revision of Design Note 17)*, for specialist accommodation guidance is provided in DfES Building Bulletin 86, *Music Accommodation in Secondary Schools: A Design Guide*. Nothing in the Regulations prevents the insulation of rooms so as to prevent noise generated within them from causing a disturbance to people in other parts of the building

Lighting

77. Each room or other space in a school building must have lighting appropriate to its normal use and which satisfies any more specific requirements. The maintained luminance of teaching accommodation must be 300 lux or more on the working plane. Where visually demanding tasks are carried out, there must be a maintained luminance on the working plane of no fewer than 500 lux. Light fittings must not produce a glare index of more than 19, where glare index measures the direct glare from light fittings which might be seen, for example, by someone looking up from their work. Section B, 'Lighting', of DfES Building Bulletin 87, *Guidelines for Environmental Design in Schools (revision of Design Note 17)*, offers guidance, as does section 13, 'Lighting', of DfES Building Bulletin 83, *Schools' Environmental Assessment Method (SEAM)*.

Heating

78. Section C, 'Heating and Thermal Performance', of DfES Building Bulletin 87, *Guidelines for Environmental Design in Schools (revision of Design Note 17)*, includes guidance on heating, but the Regulations prescribe certain standards, described below.

Capability of heating systems

79. Each room or other space in a school building must have a system of heating which is appropriate to its normal use. The heating system must be capable of maintaining the temperatures specified in the table below when the external air temperature is -1°C . For the purpose of the Regulations, temperatures should be measured at 0.5m above floor level.

(1)	(2)
Areas where there is a lower than normal level of physical activity because of sickness or physical disability. These areas include sick rooms and isolation rooms, but never other kinds of sleeping accommodation.	21°C
Areas where there is a normal level of physical activity, such as classrooms, exam rooms, libraries and areas for private study.	18°C
All washrooms, sleeping accommodation and circulation spaces. This temperature standard applies also to areas where there is a higher than normal level of physical activity, perhaps because occupants are engaged in physical education. Such areas might include gyms and drama workshops.	15°C

Minimum temperatures

80. If a part of the school is:

occupied,

has a heating system, and

is colder than the temperature appropriate to its normal use

then it must be brought up to the temperature appropriate to its normal use for as long as it is being used for its normal use.

81. Health and Safety regulations* state that 'thermometers should be available at a convenient distance from every part of the workplace to persons at work to enable temperatures to be measured throughout the workplace, but need not be provided in each workroom.'

Maximum temperatures

82. There are no prescribed maximum temperatures for school premises, although there are standards for ventilation (see paragraphs 84-88). Uncomfortably high temperatures can hinder effective teaching and learning and affect health, safety and welfare.

Hot Surfaces

83. Some pupils are more at risk than others from hot surfaces. In special schools, nursery schools and in teaching accommodation used by nursery classes, the surfaces of radiators and exposed pipes located where they might be touched by a pupil must not become hotter than 43°C. In some schools, under-floor heating may be provided, although it is unsuitable where a significant number of pupils are immobile and large areas of floor space are taken up with floor mats and mattresses, because these will trap the heat. Our view is that, where there are a few floor mats and under-floor heating is provided, the surface temperature should not exceed 21°C.

Ventilation

84. There are standards for

a normal level of ventilation in all occupied areas, and for

the capability of a higher level of ventilation in certain areas, which might be needed under particular circumstances

Normal level of ventilation

85. Occupied areas must have ventilation controllable at a rate of at least 3 litres of fresh air per second for each of the maximum number of persons the area will accommodate in normal use. In many newer buildings, background ventilation can be controlled by opening or closing small air vents to take account of differing numbers of occupants. There should normally be no difficulty in meeting this standard without using mechanical ventilation. In older buildings, there may be sufficient air flow even when doors and windows are closed.

Extra ventilation when it is needed

86. Above this background level, there should be the capability to ventilate certain areas at a higher rate of 8 litres of fresh air per second for each of the usual number of people in those areas. It will only be necessary to use the higher rate under certain circumstances, for example, to cool rooms on a very hot day, or – in an area provided for practical activities – to clear noxious fumes if solvent has been spilt (see paragraph 89). In most rooms this additional ventilation can be achieved simply by opening windows, doors or air vents. Only if this is not possible need the body responsible consider providing mechanical ventilation. The additional capability to provide at least 8 litres of fresh air per person per second is required for

all teaching areas

medical examination and treatment
rooms sick rooms

sleeping accommodation, and
for living accommodation

87. Additional guidance may be found in Section D, 'Ventilation', of DfES Building Bulletin 87, *Guidelines for Environmental Design in Schools (revision of Design Note 17)*, and in section 12, 'Ventilation', of DfES Building Bulletin 83, *Schools' Environmental Assessment Method (SEAM)*.

Washrooms

88. For washrooms a different ventilation standard applies. This is because the 'usual number' of occupants in a washroom can be so variable. All washrooms should be capable of being ventilated, by whatever means, at a minimum rate of 6 air changes an hour.

Condensation and noxious fumes

89. Adequate measures must be taken to prevent condensation in, and to remove noxious fumes from, kitchens and any other room where these may be present. Noxious fumes might, for example, arise during scientific lessons in classrooms for which fume cupboards will be appropriate. The Department publishes design guidance on fume cupboards in DfES Building Bulletin 88, *Fume Cupboards in School*

Water supplies

90. Schools must have a wholesome water supply meeting the requirements of the Water Supply (Water Quality) Regulations 1989 (as amended). There is guidance on water quality in Section E, 'Hot and cold water supplies', of DfES Building Bulletin 87, *Guidelines for Environmental Design in Schools (revision of Design Note 17)*, and in section 15, 'Water quality', of Building Bulletin 83, *Schools'*

Environmental Assessment Method (SEAM). Water supplied for domestic purposes means water for washing, cleaning floors, washing up crockery and for drinking.

The Regulations do not specify how drinking water should be provided for pupils. Most schools provide drinking fountains, although these can be prone to damage. Health and Safety guidance* advises that drinking water taps should not be installed in sanitary accommodation. There are no standards for the distribution of drinking water outlets throughout school premises, but bodies responsible should consider the pattern of demand within schools, which can be concentrated within quite short breaks.

91. The Regulations do not require drinking water outlets to be labelled but there may be benefits in labelling drinking water and non-drinking water outlets.

92. Water closets and urinals must have an adequate supply of cold water and washbasins, sinks, baths and showers must have adequate supplies of both hot and cold water. To minimise the risk of scalding, the temperature of hot water supplies to baths and showers must not exceed 43°C. DfES Building Bulletin 77, *Designing for Pupils with Special Educational Needs: Special Schools*, backs up

this statutory standard by recommending that hot water delivered at outlets such as washbasins, sinks and showers should be at a temperature of 38°C-42°C.

Drainage

93. Schools must be provided with an adequate drainage system for hygienic purposes and for the general disposal of waste water and surface water.

Part V – Team game playing fields

94. Minimum areas of team game playing fields must be provided in schools with pupils over the age of 8. This does not apply to schools with no pupils over 8 or to pupil referral units.

Definition of ‘team game playing fields’

95. The Regulations define ‘team game playing fields’ as playing fields which, having regard to their configuration, are suitable for the playing of team games and which are laid out for that purpose.

Quality

96. Team game playing fields need not be grass. However, the grassed part of any team game playing fields must be capable of sustaining the playing of team games by pupils at each school for 7 hours a week per school during term time.
Rotation

to enable grass to recover may mean that the markings of team game playing fields require adjustment from time to time.

Minimum area

97. The minimum area of team game playing fields depends on the number of pupils at the school and their ages and is determined as set out below.

Establish the number of pupils at the school who are 8 or older and find the range into which that number falls in column (1), then

- i. the school has any pupils aged 11 or younger, read across the same row to column (2). That figure is the minimum area of team game playing fields to be provided, or
- ii. if the school has no pupils aged 11 or younger, read across the same row to column (3).

That figure is the minimum area of team game playing fields to be provided.

	Minimum area in m ²	
(1)	(2)	(3)
Total number of pupils aged 8 or older	Schools with pupils under 11	Schools with no pupils under 11
100 or fewer	2500	5000
101 to 200	5000	10000
201 to 300	10000	15000
301 to 400	15000	20000
401 to 500	20000	25000
501 to 600	25000	30000
601 to 750	30000	35000
751 to 900	35000	40000
901 to 1050	40000	45000
1051 to 1200	45000	50000

98. The minimum area of team game playing fields to be provided for schools with more than 1,950 pupils over 8 years is calculated by
- choosing column (2) or (3) above as appropriate
 - selecting the largest figure in it, and
 - adding an extra 5,000m² for each complete 150 by which the number of pupils aged 8 or over exceeds 1,801.
99. So, for example, a school with 2,000 pupils all over 11 would need 75,000m² = 80,000m² of team game playing fields.

Shared team game playing fields

100. Where playing fields are shared and any shared parts count towards more than one school's prescribed minimum area of team game playing fields, those shared parts must be capable of sustaining the playing of team games by pupils from each of those schools for at least 7 hours during each term-time week.

All-weather surfaces

101. The minimum area of team game playing fields may include all-weather surfaces, including tarmac, provided this is both suitable and laid out, for the playing of team games. And the Regulations allow some all-weather surfaces to be counted as twice their actual area: these are hard porous, synthetic and polymeric surfaces. The Regulations do not define these terms, but DfES Building Bulletin 82, *Area Guidelines for Schools*, explains our view that a

hard porous surface means a finely crushed surface of clay bound material, stone or blaes, on a base of coarse clinker, ash or crushed stone (for which under pitch drainage is usually provided)

synthetic surface means coarse plastic pile, usually sand-filled, on a plastic or rubber shock pad backing, laid on a prepared base of concrete, macadam or unbound stone (for which under pitch drainage is usually provided), and that

polymeric surface means shredded rubber, wood fibres, or granules of cork, rubber and plastics bonded with bitumen, latex or polyurethane, on a base of concrete or macadam laid to fall.

Balancing all-weather and grassed team game playing fields

102. The minimum area of team game playing fields need not include grass. But bodies responsible should bear in mind that not every type of all-weather surface is suitable, or even safe, for all the kinds of team games which safely can be played on grass. Bodies responsible must ensure that the games played at the school are catered for through the right balance between all-weather surfaces and grass.

Location

103. The Regulations do not specify the location of playing fields relative to a school, but the former requirement that special schools' playing fields must be adjoining, or in the immediate vicinity of, the school buildings has been revoked.

Outdoor play equipment

104. Equipment used in schools, including outdoor play equipment, is not covered by the Regulations. Useful guidance is available in the National Playing Fields Association publication, *Play Safety Guidelines for Outdoor Play Provision*, and from the British Association of Advisers and Lecturers in Physical Education publication, *Safe Practice in Physical Education*.

When 1996 standards meet 1999 standards

105. Before 1 February 1999, certain alternative sports facilities could count towards the minimum team game playing field standards. Bodies responsible may still offset alternative sports facilities against the minimum standard for team game playing fields, but only in two circumstances:

- i when they have secured a relaxation of the minimum area standard from the Secretary of State, or
- ii where arrangements meeting the 1996 standards continue to be in place.

Both these circumstances are described below, according to whether the fields are provided for a mainstream, or a special, school.

Mainstream schools

106. Mainstream schools could offset alternative sports facilities against the minimum area standard for what then were called 'playing fields' (now team game playing fields). The facilities which could offset minimum requirements in this way were those for

regular instruction in swimming, whether at the school or elsewhere indoor instruction in team games, whether at the school or elsewhere, or outdoor instruction in team games available elsewhere than at the school or on synthetic surfaces at the school.

107. The body responsible could decide by how much the minimum area of team game playing fields could reasonably be reduced to reflect access to these alternative facilities. One of the effects of the 1999 Regulations is that this local discretion is revoked.

108. However, in cases where the prescribed minimum area of team game playing fields had been reduced under this local flexibility, those arrangements are treated as satisfying the minimum area standards of the Regulations. They do so for as long as:

the school continues to have the same facilities (which means the very same facilities, not just equivalent facilities) which it had on 1 February 1999, and the total area of team game playing fields is no smaller than it was on 1

February 1999, and

there has not, since 1 February 1999, been a step increase in the number of pupils, requiring a larger prescribed minimum area of team game playing fields.

109. If one or more of these conditions ceases to apply, then team game playing fields must be provided which meet, in full, the minimum area standards. This is the case unless the minimum standard has been relaxed by the Secretary of State (see paragraphs 114-123).

Special schools

110. In the case of special schools, the minimum area of team game playing fields to be provided was not quantified under The Education (School Premises) Regulations 1996. The body responsible could decide how large an area to make available, provided that that area was adjoining, or in the immediate vicinity of, the school buildings, and provided that it took account of the needs of pupils to participate in physical activities, including team games.
111. The 1999 Regulations discontinue the assumption that pupils attending special schools have a lesser need for team game playing fields. Instead, they promote equality of access to team game playing fields by applying to special schools the same team game playing field standards as apply to mainstream schools.
112. However, in those cases where the area of playing fields had – immediately before 1 February 1999 – met the standards of the 1996 Regulations, those arrangements are treated as satisfying the minimum team game playing field standards of the 1999 Regulations. They do so for as long as:
 - the team game playing fields are exactly the same ones as were provided on 1 February 1999, and
 - there has not, since then, been a step increase in the number of pupils (to the extent that a larger minimum area of team game playing fields must be provided.)
113. If any one or more of these conditions ceases to apply, then team game playing fields must be provided which meet, in full, the minimum area standards of the Regulations. This is so unless the minimum area standard has been relaxed by the Secretary of (see paragraph 121).

Part VI – Relaxation of prescribed standards in special cases

114. In certain cases, the Secretary of State is empowered to give a direction deeming a school to meet one or more prescribed standards when, in fact, it does not do so. A direction may be given in respect of a maintained school*, a non-maintained special school* and an independent school approved to admit who have special educational needs*. The circumstances in which a direction may be given are defined in the primary legislation.*

Maintained schools

Nature of existing site or buildings or other circumstances

115. First, standards may be relaxed where the Secretary of State agrees that it would be unreasonable to require conformity with any given standard, because of:
- a the nature of the existing site
 - b any existing buildings on the site, or because of
 - c other special circumstances affecting the school premises.

Shortage of suitable sites

116. Secondly, standards may be relaxed where it would be unreasonable to require conformity with a given standard, because of any shortage of suitable sites, where the school is to have a new or additional site.

Control of public expenditure

117. Thirdly, standards may be relaxed in order to control public expenditure, where it would be unreasonable to require a school to meet certain standards for buildings, when
- a the school is to have additional buildings, or is to be transferred to a new site, b existing buildings not previously part of the school premises, or temporary buildings, are to be used as school buildings.

Availability of alternative sports facilities

118. Standards may be relaxed where the Secretary of State is satisfied that, having regard to other facilities for physical education available to the school, it would be unreasonable to require conformity with any prescribed standard relating to playing fields.

Non-maintained special schools and approved independent schools

119. The Secretary of State may make a direction when of the view that it would be unreasonable to require a non-maintained special school or an approved independent school to conform to any of the prescribed standards.

Applying for a relaxation of prescribed standards

121. Prospective applicants should refer to section 543 of the Education Act 1996 (as amended by paragraph 159 of Schedule 30 to the School Standards and Framework Act 1998), to check whether, in their particular circumstances, the Secretary of State has the power to relax standards. Because the duty to ensure compliance with the Regulations rests with the local education authority, the Department's view is that, in the case of a maintained school, only the maintaining local education authority may apply for a relaxation.
122. When formulating an application, a local education authority may find it helpful to refer to its asset management plan. Including extracts from this in an application might help to illustrate any relevant special circumstances which should be taken into account. They should also submit a curriculum analysis showing in what ways the curriculum needs of the school will still be met. Guidance is available in DfES Building Bulletin 82, *Area Guidelines for Schools*.
123. Enquiries about relaxations are welcome by letter, telephone or E-Mail. Initial contact details are on the front page of this Circular. The Department aims to determine applications within 10 weeks of receipt, where all the information necessary is made available at the outset.

ANNEX A

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DfES Publications Centre, see front of guidance

Department for Education and Skills, see front of guidance

Department of Culture, Media and Sport, (Sport and Recreation Division), 2-4 Cockspur Street, LONDON, SW1Y 5DH. Telephone (020) 7273 6073

Department of the Environment, Transport and the Regions, (Planning Directorate, Development Plans and Policies), Eland House, Bressenden Place, LONDON, SW1E 5DU. Telephone (020) 7890 3000

Learning through Landscapes, 3rd Floor, Southside Offices, The Law Courts, WINCHESTER, Hampshire SO23 9DL. Telephone 01962 846258

National Playing Fields Association, 25 Ovington Square, LONDON, SW3 1LQ. Telephone (020) 7584 6445

Sport England (formerly the English Sports Council), 16 Upper Woburn Place, LONDON, WC1H 0QP. Telephone (020) 7273 1500

The Central Council of Physical Recreation, Francis House, Francis Street, LONDON, SW1P 1DE. Telephone (020) 7828 3163

The Stationery Office Ltd (formerly HMSO) (orders only), The Publications Centre, PO Box 276, LONDON SW18 5DT. Telephone (020) 7873 0011. Enquiries may be made to (020) 7873 9090. On-line ordering to www.national-publishing.co.uk. Fax orders to (020)

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ANNEX B

References to legislation and guidance

Paragraph	Note
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| 4* | Section 542 of The Education Act 1996 (as amended by paragraph 158 of Schedule 30 to the School Standards and Framework Act 1998) |
| 5* | Regulation 4 of, and paragraph 5(1) of the Schedule to, The Education (Non-Maintained Special Schools) (England) Regulations 1999 (SI 1999/2257) |
| 5** | Regulation 4 of, and paragraph 10 of Schedule 1 to, The Education (Special Educational Needs) (Approval of Independent Schools) Regulations 1994 (SI 1994/651) |
| 12* | Section 28 or 31 of the School Standards and Framework Act 1998, or paragraph 5 of Schedule 7 to that Act |
| 24* | Paragraph 202 of the Approved Code of Practice to the Workplace (Health, Safety and Welfare) Regulations 1992 |
| 34* | Paragraphs 201-205 of the Approved Code of Practice to The Workplace (Health, Safety and Welfare) Regulations 1992 |
| 81* | Paragraph 57 of the Approved Code of Practice to The Workplace (Health, Safety and Welfare) Regulations 1992 |
| 90* | Paragraph 213 of the Approved Code of Practice to The Workplace (Health, Safety and Welfare) Regulations 1992 |

114* Section 543 of The Education Act 1996 (as amended by paragraph 159 of Schedule 30 to the School Standards and Framework Act 1998)

114** Paragraph 5(2) of the Schedule to The Education (Non-Maintained Special Schools) (England) Regulations 1999

114*** Paragraph 10(2) of Schedule 1 to The Education (Special Education Needs) (Approval of Independent Schools) Regulations