

# Consultation Response

School Premises  
Regulations – Updating  
Proposals: Consultation

March 2026



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## Introduction

The Law Society of Scotland is the professional body for over 13,000 Scottish solicitors.

We are a regulator that sets and enforces standards for the solicitor profession which helps people in need and supports business in Scotland, the UK and overseas. We support solicitors and drive change to ensure Scotland has a strong, successful and diverse legal profession. We represent our members and wider society when speaking out on human rights and the rule of law. We also seek to influence changes to legislation and the operation of our justice system as part of our work towards a fairer and more just society.

Our Equalities Law sub-committee welcomes the opportunity to consider and respond to the Scottish Government consultation: *Proposals to update the School Premises Regulations*.<sup>1</sup> The sub-committee has the following comments to put forward for consideration.

## General Comments

We note that the consultation relates to updating School Premises (General Requirements and Standards) (Scotland) Regulations 1967 to ensure they reflect the needs of modern education. The goal is to create modern, high-quality learning environments that support equity, excellence, and wellbeing for all learners and staff.

We note that the regulations specify what minimum standards should apply for factors including internal and outdoor space, digital infrastructure and sanitary accommodation. Some requirements may apply across the existing estate, while others will only apply to new or substantially refurbished schools.

We note however the duty to make reasonable adjustments for disabled people under the Equality Act 2010 does not require adjustments to be made to the physical premises of schools<sup>2</sup>. This would seem to conflict with the legal requirements for Local Authorities to provide adequate education to all children, including disabled children, and schools having a duty to make reasonable adjustments for disabled pupils and provide assistance and services, such as communication tools and support staff. Schools are also required to develop and publish accessibility strategies to help pupils access to the curriculum, the physical environment and to improve communication with pupils with disabilities.

We note that the proposals in this consultation do not in general cover the needs of disabled children in the school environment. We consider that these needs

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<sup>1</sup> [Proposals to update the School Premises Regulations - Scottish Government consultations - Citizen Space](#)

<sup>2</sup> Equality Act 2010 Sch 13, para 2 sub-para (2) [Equality Act 2010](#)



should be covered within the regulations to provide guidance to local authorities and to assist schools to comply with their duties stated above. Creating an educational environment which is truly accessible to all children requires buildings and facilities to be physically accessible, and to enable all children to participate on an equitable basis in all the school activities.



## Questions

Question 1: Do you agree that adding a link to Building Bulletin 93 for Regulation 24 (Acoustic Conditions) adequately covers the requirements for acoustic conditions? If not, why not?

**Disagree:** This does not take into account the full range of disabilities and other conditions which could be affected by acoustics in the school environment. We refer to our general comments above

Question 2: Do you agree that Regulation 25 (Water supply) adequately covers the requirements for water supply? If not, why not?

No comment

Question 3: Do you agree that the new Regulations should apply to grant-aided schools? If not, why not?

No comment

Question 4: Do you agree that Regulation 14 (Kitchen Premises) can be retained? If not, why not?

No comment

Question 5: Should Regulation 20 (Outdoor education and recreational areas) be retained and be updated to require schools to have a mix of outdoor environments to further support the delivery of learning, play, sport and access to nature? If not, why not?

**Agree** subject to extending the requirements to include accommodating the needs of children with a wide range of disabilities. We refer to our general comments above.

Question 6: Do you agree that if there is a mixture of grass pitches and synthetic pitches then the area required in some circumstances can be less than that currently defined for grass pitches? If not, why not?

No comment

Question 7: Do you agree that accommodation metrics is an appropriate method to calculate the educational accommodation required? If not, why not?

No comment

Question 8: Do you agree that the number of appliances per pupil as set out in Regulation 15 (Sanitary accommodation for pupils) are still appropriate? If not, why not?

No comment

Question 9: Do you agree that these proposals cover the modern requirements for toilet and washing facilities? If not, why not?

**Disagree:** While we agree that the regulations must take into account the needs of pupils who require to use gender neutral toilets, and those who require accessible facilities we do not agree that the same facility/toilet should provide for both of these needs in any circumstances. School policies usually limit the times when pupils can use toilets and sanitary facilities to breaks and lunchtimes. Gender neutral toilets and facilities will be available for use by the whole school population, regardless of whether they can also use the gendered facilities provided. Disabled children who require accessible facilities because of their disability can only use facilities which are physically accessible to them, and allowing these to be used as gender neutral facilities will reduce their availability within the limited time allowed. As children with disabilities may require to use the toilet more frequently or take longer to do so than other children, failing to provide dedicated accessible facilities will have a disproportionate negative impact upon them. We therefore recommend that separate accessible facilities should be required in addition to gender neutral facilities in all circumstances.

Question 10: Do you agree that Regulation 18 (Medical inspection and rest room accommodation) covers the requirements for medical inspection and rest room accommodation? If not, why not?

**Disagree:** we consider that the requirements should include accommodating the needs of children with a wide range of disabilities. We refer to our general comments above.

Question 11: Do you agree that wellbeing spaces, including nurture spaces, should be included in the regulations? If not, why not?

**Agree,** subject to extending the requirements to include accommodating the needs of children with a wide range of disabilities. We refer to our general comments above.



Question 12: Do you agree that the updated regulations should include a principle based requirement for digital infrastructure and connectivity in all schools? If not, why not? Please provide examples of how digital provision supports educational outcomes in your context.

No comment

Question 13: Do you agree that Regulation 21 (Lighting) covers the requirements for lighting? If not, why not?

**Disagree:** we consider that the requirements should include planning to accommodate the needs of children with a wide range of disabilities. We refer to our general comments above.

Question 14: Do you agree that Regulation 22 (Ventilation) should be retained and updated? If not, why not?

No comment

Question 15: Do you agree Regulation 23 (Heating) can be retained and updated? If not, why not?

No comment

Question 16: Do you agree that Regulation 4 (General Requirements) can be removed? If not, why not?

No comment

Question 17: Do you agree that Regulation 7 (Sites for primary and secondary schools) can be removed? If not, why not?

No comment

Question 18: Do you agree that Regulation 11 (Educational accommodation in schools providing both primary and secondary education) should be removed? If not, why not.

No comment



Question 19: Do you agree that Regulation 12 (Playroom accommodation in nursery schools and classes) is no longer required and can be removed, and that ELC settings, including those housed within school buildings should be specifically excluded in the updated Regulations? If not, why not?

No comment

Question 20: Do you agree that Regulation 13 (Educational accommodation in special schools) should be removed? If not, why not?

No comment

Question 21: Do you agree that Regulation 16 (Washing accommodation for pupils) is no longer required as it is met within the revised toilets and washing facilities Regulation? If not, why not?

**Agree** subject to our response to question 9.

Question 22: Do you agree that Regulation 17 (Accommodation for staff) can be removed? If not, why not?

No comment

Question 23: Do you agree that Regulation 19 (Storage accommodation) can be removed? If not, why not?

No comment

Question 24: Please tell us about any potential equality impacts, either positive or negative, that you consider the proposals in this consultation may have, with reference to the 'protected characteristics' listed above. Please be as specific as possible.

We have comment in relation to the protected characteristic of "disability", and refer to our general comments regarding children with disabilities.

Question 25: Are there any aspects of a child's rights or wellbeing that you think might be affected either positively or negatively by the proposals covered in this consultation?

We consider that the rights and wellbeing of disabled children could be affected negatively by the proposals within this consultation. We refer to our general comments above regarding children with disabilities.



For further information, please contact:

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