The Rt Hon Justine Greening MP
Secretary of State for Education
Department for Education
Sanctuary Buildings
20 Great Smith Street
London SW1P 3BT

Dear Justine,

We are writing to you following the recent consultation on changes to Building Bulletin 100 (BB100): Design for fire safety in schools. Both the National Union of Teachers and the Fire Brigades Union are very concerned that the changes instigated by the Department for Education include removing the expectation that new schools be built with sprinklers.

School fires can be devastating, and the effects long lasting. When a school is partially or wholly destroyed by a fire, it can take months, or even years, for the school to be rebuilt, meaning significant upheaval and uncertainty for pupils, parents and staff. The effects of school fires are often felt widely as many schools also provide facilities to the local community.

The original version of BB100, published in 2007, acknowledged the devastating impact of school fires, and introduced an expectation that all new schools be built with sprinkler systems. The inclusion of this expectation in BB100 had widespread support, including from the All Party Parliamentary Fire Safety and Rescue Group, the Fire Sector Federation, the Chief Fire Officers Association, the Fire Brigades Union (FBU) and the National Union of Teachers (NUT).

The NUT and FBU welcomed the introduction of this expectation in BB100, while continuing to call for sprinklers to be a legal requirement in all new schools in England, as is now the case in both Wales and Scotland. The benefits of sprinklers are numerous. From the perspective of the NUT and FBU the primary benefits are:

- Suppressing the growth of fire(s) which increases the time for, and likelihood of, safe and early evacuation of pupils, staff and other persons from the building;
- Suppressing the growth of fire(s) thereby increasing the sustainability of life and reducing injuries to pupils, staff and other persons who are trapped by the fire and unable to evacuate the building;
- Reducing the growth and spread of fire(s) and thereby reducing the period in which fire and rescue services are deployed into the building to carry out rescues and to extinguish the fire(s);
- Reducing the severity of fire(s) thereby reducing the risks to fire and rescue personnel from heat and potential building collapse;
- Reducing fire damage to asbestos containing materials, which are present in the majority of schools, thus reducing the likelihood of asbestos exposure to fire and rescue personnel, pupils and staff;

17 October 2016
- Reducing the damage to the building which in turn saves capital costs as a result of:
  - A reduction in refurbishment of premises
  - A reduction in the likelihood of partial or full collapse of structures and the associated demolition and rebuilding of the premises
  - A reduction in costs of furniture, furnishings and similar items
- Reducing the damage to the building which in turn saves revenue costs as a result of:
  - Reducing the need for, and duration of, relocating school services during the period of refurbishment/rebuilding
  - Reducing payments in respect of any resultant sick leave for staff and compensation payments arising from litigation from claims by parents and others
- Reducing the negative social impacts, such as:
  - Disruption to the education of pupils
  - Additional care requirements for parents including time lost attending their work

The Government has not published up-to-date cost information on school fires for a number of years. However, the Fire Protection Association (FPA) collects large loss statistics on behalf of UK insurers. While not all schools are insured, and the FPA does not have 100 per cent coverage, they do give a strong indication of trend, especially in the absence of recent DCLG figures. The FPA has found that the average cost of school fires is increasing; in 2009 it was around £330,000 per incident, but by 2014 it had risen to £2.8 million per incident. These figures show that while the overall number of school fires may have decreased, the impact and severity of school fires is increasing and therefore, it is illogical for the Government to change its policy on sprinklers in schools.

The NUT and FBU addressed these issues, amongst others, in our responses to the consultation on BB100. It is unclear whether any organisation that responded to the consultation supported any change in policy because information about responses is currently being withheld by your department. We welcome the assurances made by Lord Nash in his letter to the Fire Brigades Union dated 5 October 2016 that the Government will not be reducing the requirements and expectations for the provision of sprinklers in schools. We will of course await the incorporation of that position into the Government’s response to its consultation.

You may be aware that the NUT recently submitted a Freedom of Information (FOI) request to the Department for Education requesting a list of respondents to the consultation indicating which respondents supported the removal of the expectation that new schools be fitted with sprinklers, and which respondents disagreed with the change. We are very disappointed with the response to the FOI request, which was to withhold this information, and we have submitted a complaint against this decision.

One of the reasons for not releasing the information requested was because ‘officials are in the process of assessing the responses’. Surely it would have been more appropriate to assess the responses before making the decision, not vice versa? These actions call into question whether the decision had been made even before the consultation began.

The other main reason for refusing to divulge the information requested was because it constituted ‘personal data’ and was therefore exempt. This classification has been made in error as an organisation is not a data subject. We urge the Department to revisit this response as a matter of urgency.

Whilst the data protection issue is reconsidered by the Department, we have for the time being requested that the Department simply notify us, under the provisions of the FOI Act, how many responses to the consultation were received in total, and of these how many were in favour of the change and how many opposed it.
In view of the seriousness of the matter and the necessity to meet a reasonable request for information such as this, we ask that the Department of Education make this information available to the NUT without any further delay. We look forward to your response, and would be happy to discuss these issues in further detail.

Yours sincerely,

Matt Wrack

Kevin Courtney

General Secretary
Fire Brigades Union

General Secretary
National Union of Teachers