



Briefing for the Public Petitions Committee

Petition Number: [PE1583](#)

Main Petitioner: Lisa Willis

Subject: Playground Supervision

Calls on the Parliament to urge the Scottish Government to review and amend national legislation and guidance given to local authorities to ensure that all primary schools are required to provide playground supervision in the twenty-minute period before school starts

Background

The petitioner asks for legislation to require playground supervision 20 minutes before the start of the school day.

[Schools \(Safety and Supervision of Pupils\) Scotland Regulations 1990](#) provide that:

- Education authorities have a duty to take reasonable care for the safety of pupils under their charge.
- Education authorities should ensure that each school under their management which is:
 - a primary school having 50 or more pupils in attendance; or
 - a special school;
- is supervised by at least one adult when in a playground (or outdoor area provided by the authority for recreation or play at break times) during any break time

Green's *Scottish Education Manual* states (para 3:1.9.2):

“if a child arrives at school before supervision could reasonably be expected then the courts have established that it is the parents' responsibility, should an accident occur. Most authorities expect schools to have supervision arrangements in place for up to 30 minutes before classes begin.”

“Many pupils arrive at school before school begins, on transport provided by the education authority. In the case of primary school children, the duty of

care requires some form of supervision arrangement to be in place from the moment the transport arrives until the school begins and, conversely, at the end of the day.

With regard to secondary school pupils, the position should be less demanding, but it may be decided that the presence of an adult is required during those times. Head teachers should implement appropriate procedures, depending upon an assessment of local circumstances.”

Scottish Parliament Action

There have been no recent parliamentary questions or debates on this specific issue. There have been previous petitions on the safety issues related to school transport, but not on the specific issue of playground supervision before the start of the school day. ([PE892](#) and on [PE1223](#) signage, [PE1098](#) on seatbelts).

Scottish Government Action

Scottish Government guidance [circular 7/2003 on school transport](#) refers to the Safe School Travel Pack which suggests ways in which school staff can assist in the operation of a safe and efficient transport service. These include "ensuring adequate supervision of transport arrival and departure from the school." [Safe and Well \(2005\)](#) : good practice in schools and education authorities for keeping children safe and well, sets out the legislative position, referring to the 1990 regulations.

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