

Inspel till Boverket gällande lättnader i reglerna för byggande av studentbostäder

Bakgrund

Boverket har fått i uppdrag av regeringen att utreda lättnader i reglerna för byggande av studentbostäder. Uppdraget syftar till att “utreda möjligheterna att påtagligt minska kostnaderna vid byggandet av studentbostäder och möjliggöra ett ökat och mer differentierat utbud av dessa på kort och lång sikt” Boverket ska “föreslå anpassningar av de tekniska egenskapskraven avseende lämplighet för det avsedda ändamålet, tillgänglighet och användbarhet, skydd med hänsyn till hygien, hälsa och miljö avseende dags- och solljus samt skydd mot buller, där sådana anpassningar är motiverade i förhållande till byggkostnaderna och utan att kraven sänks mer än nödvändigt.”

Boverket anordnade ett rundabordssamtal med studentorganisationer den 2023-09-06 där även SFS deltog och lämnade muntliga synpunkter. Det här inspelet innehåller kompletterande synpunkter kring uppdraget.

Inspelet innehåller även en bilaga med inspel från studentorganisationer i Danmark, Finland och Norge rörande deras erfarenheter av att ha en kvot för andelen bostäder.

SFS övergripande medskick till uppdraget

1. Tidigare regellättnader måste följas upp.

SFS är positiva till regelförenklningar - men de måste vara faktabaserade och får inte vara negativa för studenters hälsa. Redan tidigare regellättnader kan ha haft konsekvenser för studenters hälsa, exempelvis genom mer buller och avsaknad av direkt solljus. Regeringen bör låta Boverket följa upp de senaste årens många regellättnader empiriskt, i form av enkäter, intervjuer eller dylikt, innan fler lättnader genomförs. Här bör särskilt beaktas att studenter i allt högre utsträckning studerar hemifrån, vilket ställer högre krav på att bostaden har plats för arbetsytor och möjliggör en tillfredsställande arbetsmiljö. [Arbetsmiljöverkets material om behovet av ljus och fönster vid arbetsplatsen](#) bör vägas in även i studentbostaden.

2. Det behövs riktiga fönster

SFS anser att studentbostaden behöver fönster både för ventilation och dagsljus.

Det sägs ibland också att artificell belysning kan ersätta riktigt dagsljus, men SFS anser att det är högst spekulativt om inte rent av missvisande. Avsaknad av dagsljus kan kopplas till psykisk ohälsa, sömnproblem och depression. Det saknas forskning som visar att riktiga fönster kan ersättas med ljusskärmar utan att det försämrar hälsa och mående. Kostnaden för psykisk ohälsa och sämre studieresultat måste räknas in, och då blir det inte längre billigare att bygga utan riktiga fönster. SFS är dessutom starkt kritiska till att studenter ska agera försökskaniner med en sämre och mer riskabel boendestandard än vad som kan accepteras i den övriga befolkningen.

Det sägs ibland att trafikbuller inte längre är ett problem i bostäder, eftersom fönster kan ljudisoleras och inte behöver öppnas för att vädra. Men det ställer oerhört höga krav på ventilationen om fönster inte kan hållas öppna. Vad händer om ventilationssystemet går sönder? Vad händer med luftkvaliteten om nybyggda bostäder har andra brister, exempelvis fuktskador som har förekommit i modulbostäder i flera städer de senaste åren? De ventilationssystem som används i dyra kontorslokaler i city är kanske inte ett alternativ i billiga studentbostäder. Att sänka bullerkrav bara för att höja kraven på ventilationssystem, kommer inte att ge billigare bostäder, bara sämre.

3. SFS vill ha kvar de generella tillgänglighetskraven

Vi anser att alla studenter ska kunna bo i bostaden oavsett funktionsförmåga. Det är också viktigt att studenter kan ta emot besökare, utan att besökaren ska vara hänvisad till exempelvis toaletter som är gemensam för hela byggnaden. En stor del av det gamla beståndet är fortfarande otillgängligt, det behöver vi kompensera genom att bygga mer tillgängligt framöver. För många studenter är bostadssituationen intimt förknippad med möjligheten att över huvud taget studera. Vi anser att rätten till högre utbildning är så principiellt viktig, att det inte går att motivera fler avsteg från tillgänglighetskraven i studentbostäder.

Ytterligare ett skäl till att behålla dagens tillgänglighetskrav, är att det skapar flexibilitet om bostäderna i framtiden inte längre efterfrågas av studenter, exempelvis om utbildningar läggs ner på en ort eller det byggs bättre, mer attraktiva bostäder som studenter kan konkurrera om. Sverige har en åldrande befolkning, och tillgänglighetsanpassade bostäder kan lättare omvandlas till

äldreboende eller dylikt. Här tycker vi att en bra utgångspunkt kan vara [Boverkets egna analyser](#) att hur andelen personer över 85 år kommer att öka, samt att dagens bostadsbestånd inte är tillräckligt tillgängligt för att möta den utvecklingen.

Bilaga: Internationell utblick rörande möjligheten att bara en viss andel av nya bostäder ska vara tillgänglighetsanpassade

I Boverkets uppdrag ingår att se över kraven för tillgänglighet. Under rundabordssamtalet framkom att Boverket har för avsikt att inom uppdraget göra en internationell utblick och bland annat jämföra de svenska tillgänglighetskraven med de nordiska grannländerna. Det finns exempel från andra länder på hur de tillgänglighetskrav som följer av FN:s konvention om rättigheter för personer med funktionsnedsättning, tillgodoses genom att endast en viss andel av de nya studentbostäderna behöver vara tillgängliga för personer i rullstol.

För att ta reda på hur detta upplevs i praktiken, samt för att få en bättre bild av om det över huvud taget är förenligt med FN-konventionen, har SFS tillfrågat sina systerorganisationer i Danmark (DFS), Finland (SYL och SAMOK) och Norge (NSO).

Svaren i sin helhet finns bifogade nedan.

Sammanfattning

I alla tre nordiska grannländer finns regler om att en viss andel av nybyggda (student)bostäder ska vara tillgänglighetsanpassade. Studentorganisationer ger ingen entydig bild om att något av länderna efterlever FN-konventionen.

I **Danmark** måste en andel av nybyggda bostäder vara tillgänglighetsanpassade. Den danska studentorganisationen DFS beskriver att studenter med funktionsnedsättning ofta kan lösa sin bostadssituation genom förturer och särskilda lösningar som tillhandahålls av kommunerna. DFS beskriver samtidigt att studenter med funktionsnedsättning lider av sämre psykisk hälsa och i högre grad hoppar av sin utbildning. DFS har inte besvarat frågan om huruvida Danmark efterlever FN-konventionen.

I **Finland** sänktes kraven 2018 och numera behöver endast 5 % av nya ungdoms- och studentbostäder vara tillgänglighetsanpassade. Finland har två nationella studentorganisationer, SAMOK som representerar studerande vid yrkesutbildningar och SYL som representerar övriga studenter vid universitet och högskolor. SYL beskriver att dagens regel om att 5 % av studentbostäder ska vara tillgänglighetsanpassade leder till ett bristfälligt bostadsbestånd och skapar problem för studenter med funktionsnedsättning. SYL anser inte att Finland efterlever FN-konventionen. SAMOK beskriver att det än så länge inte har

uppstått problem, eftersom det äldre bostadsbeståndet har en högre andel tillgänglighetsanpassade bostäder. SAMOK anser att Finland efterlever FN-konventionen. Att SYL och SAMOK ger olika bild, kan möjligen förklaras av att de representerar studenter i delvis olika städer.

I **Norge** finns det vissa generella krav för tillgänglighet för nybyggda bostäder, exempelvis krav på hiss, vilket regleras i föreskrifter från 2017. Studentorganisationen NSO gör en årlig undersökning av studenternas boendesituation, där de har konstaterat att det i dagsläget finns ett stort överskott av studentbostäder för personer med funktionsnedsättning. NSO skriver att Norge efterlever många av kraven i FN-konventionen, men att det fortfarande finns behov av förbättringar.



Short survey on student housing and accessibility in the Nordic Countries

Background

The Swedish government is currently looking at easing regulations regarding accessibility for persons with disabilities in student housing. This 3 questions survey from The Swedish National Union on Students (SFS) aims to investigate the standards of accessibility in student housing in Sweden's neighbouring countries.

The purpose of this survey is to draw on the experiences from regulations in other countries where regulations are to some extent less rigid, so as to avoid making unnecessary mistakes in the Swedish case. The survey is sent to national student organisations in Denmark, Finland and Norway.

Please send your answers to amanda.beckman@sfs.se or sebastian.lagunas.rosen@sfs.se no later than Wednesday 13th September.

Name of your organisation: National Union of Students in Denmark
Country: Denmark

Question 1:

Which of the following best reflects your country's housing regulation regarding accessibility for persons with disabilities

- a. *All* new housing must be accessible for persons with disabilities
- b. *A quota but not all* of new housing must be accessible for persons with disabilities (please specify)
- c. There is no requirement that new housing must be accessible for persons with disabilities
- d. Other (please specify)
- e. Don't know

Your answer: ...

When new housing is being built there must be a small portion of them that are for persons with disabilities. This is required by law.

Question 2:

In your opinion, does your country's current housing regulations regarding accessibility for persons with disability meet students' needs?

Your answer:

For the most part yes, we have not been informed of any critical cases where the needs are not meet.

Question 3:

According to the UN Convention on the Rights of Persons with Disabilities, State Parties must enable persons with disabilities access to housing as well as to education.

According to article 9, to enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications. These measures shall include housing.

According to article 24, States Parties must recognize the right of persons with disabilities to education. With a view to realizing this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels. In realizing this right, States Parties shall ensure that reasonable accommodation of the individual's requirements is provided.

Does your country, in your opinion, fulfill these requirements?

Your answer:

Students with disabilities has priority when it comes to student housing and often negotiate a flexible contract with the municipality.

At our higher educational institutions student with disabilities either physical or neurodivergent can receive support, a system we call SPS – social pedagogical support. Students are given access to tools that can aid them in their studies according to their disability. There is also a mentor program where student can receive help.

However, the physical environment is lacking severely in terms of accessibility, but the institutions are working towards improving this. We see more and more ramps being set up, and when campuses are being reconstructed there is a focus on accessibility.

In terms of financial support while studying, students with disabilities received a higher grant and can apply for studying below full-time, however the treatment of these cases are long. Some students wait up till 7 months before receiving a reply, which often puts them in very unstable financial situations.



Studies in Denmark show that students with disabilities struggle with well-being in their studies and discontinue their studies more often than their peers.



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Name of your organisation: National Union of Students in Finnish Universities of Applied Sciences – SAMOK

Country: Finland

Question 1:

Which of the following best reflects your country's housing regulation regarding accessibility for persons with disabilities

- a. *All* new housing must be accessible for persons with disabilities
- b. *A quota but not all* of new housing must be accessible for persons with disabilities (please specify)
- c. There is no requirement that new housing must be accessible for persons with disabilities
- d. **Other (please specify)**
 - i. In Finland, 5% of the bathrooms and toilets in student apartments must be accessible.
- e. Don't know

Your answer: ...

Question 2:



In your opinion, does your country's current housing regulations regarding accessibility for persons with disability meet students' needs?

Your answer: Unfortunately, we have no specific data of students with disabilities in these specific matter. We haven't noticed any problems, especially because significant amount of previously built student apartments are accessible.

Question 3:

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According to article 9, to enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications. These measures shall include housing.

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Does your country, in your opinion, fulfill these requirements?

Your answer: Yes.



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Name of your organisation: SYL

Country: Finland

Question 1:

Which of the following best reflects your country's housing regulation regarding accessibility for persons with disabilities

- a. **All new housing must be accessible for persons with disabilities**
- b. *A quota but not all* of new housing must be accessible for persons with disabilities (please specify)
- c. There is no requirement that new housing must be accessible for persons with disabilities
- d. Other (please specify)
- e. Don't know

Your answer:

All new housing must be accessible for persons with disabilities. Though there are some specified exceptions where certain kinds of apartments are exempted from a single or a couple of requirements. Most notable of these is the exception for student and youth housing that requires only 5 % of the apartments to comply the requirement for accessible bathroom and toilet. This means that 95 % of the apartments can be built with

no accessible toilet or bathroom. Many other requirements are in place for student and youth apartment normally.

Question 2:

In your opinion, does your country's current housing regulations regarding accessibility for persons with disability meet students' needs?

Your answer: No. Exception from accessibility requirements for toilets and bathrooms in student and youth housing (described in question 1) is problematic. Since 2018 this exception has caused up to 95 % of the new student apartments to be designed and built in a way that their toilets and bathrooms are not accessible for students with disabilities.

Question 3:

According to the UN Convention on the Rights of Persons with Disabilities, State Parties must enable persons with disabilities access to housing as well as to education.

According to article 9, to enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications. These measures shall include housing.

According to article 24, States Parties must recognize the right of persons with disabilities to education. With a view to realizing this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels. In realizing this right, States Parties shall ensure that reasonable accommodation of the individual's requirements is provided.

Does your country, in your opinion, fulfill these requirements?

Your answer: No.



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Name of your organisation: National Union of Students Norway (NSO)
Country: Norway

Question 1:

Which of the following best reflects your country's housing regulation regarding accessibility for persons with disabilities

- a. *All* new housing must be accessible for persons with disabilities
- b. *A quota but not all* of new housing must be accessible for persons with disabilities (please specify)
- c. There is no requirement that new housing must be accessible for persons with disabilities
- d. Other (please specify)
- e. Don't know

Your answer: d: In Norway we especially separate "accessibility" and "universal design". Both of these are regulated through "Byggteknisk forskrift" or TEK17. This regulation specifies that "Buildings has to have a floor plan designed for the function of the building". This means that especially buildings designed for audiences and workplaces

are universally designed, unless the building in it self by function is unfit for handicapped people.

Accessibility however newly built residential buildings have certain requirments for accesibility like elevators etc.

Question 2:

In your opinion, does your country's current housing regulations regarding accessibility for persons with disability meet students' needs?

Your answer: We conduct a student housing survey yearly. This years edition feautered mapping over all student housing designed especially for people with disabilities. Here the market grossly overfills the requirment students in student housing both need and make use of. So in terms of official student housing the answer is yes. When it comes to private housing the terms provided by TEK17 for now fullfills our desired direction in terms of universal design and accesibility.

Question 3:

According to the UN Convention on the Rights of Persons with Disabilities, State Parties must enable persons with disabilities access to housing as well as to education.

According to article 9, to enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications. These measures shall include housing.

According to article 24, States Parties must recognize the right of persons with disabilities to education. With a view to realizing this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels. In realizing this right, States Parties shall ensure that reasonable accommodation of the individual's requirements is provided.

Does your country, in your opinion, fulfill these requirements?

Your answer: Although there is strong regulatory processes on the field, a lack of knowledge is a problem. Both with buildings that was built before TEK17 but also a lack of knowledge especially on communal and regional basis. The regulations if followed fulfills many of the requirements that the convention requires. However, in discussion with "Unge Funksjonshemmede", an organization for young people with disabilities there is still a way to go.