




Whitby School

Medical Conditions & The Administration of Medicine Policy

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Signed (Chair of Governors)	
	

Policy statement

Whitby School is an inclusive community that aims to support and welcome pupils and sixth form students with medical conditions.

It aims to provide all pupils/students with medical conditions the same opportunities as others.

We will help to ensure that all pupils and students can:

- be healthy
- stay safe
- enjoy and achieve
- make a positive contribution
- achieve economic well-being once they have left school.

Whitby School ensures all staff understand their duty of care to children and young people in the event of an emergency.

All staff should feel confident in knowing what to do in an emergency.

Whitby School understands that certain medical conditions are serious and can be potentially life threatening, particularly if ill-managed or misunderstood.

Whitby School understands the importance of medication being taken as prescribed.

All staff understand the common medical conditions that affect children at the schools. Staff receive training on the impact that medical conditions can have on pupils/students.

- Whitby School will listen to the views of pupils/students and parents regarding care for pupils and students with a medical condition.
- We hope that pupils/students and parents will feel confident in the care they receive from Whitby School and the level of that care provided to meet their needs.
- Staff understand the medical conditions of pupils/students at Whitby School and that they may be serious, adversely affect a child's quality of life and impact on their ability to learn.
- Whitby School and the local health community understand and support the medical conditions policy.
- Whitby School understands that all children with the same medical condition will not have the same needs.
- Whitby School recognises that duties in the Children and Families Act (England only), the Equality Act (England, Wales and Scotland) and the Disability Discrimination Act (Northern Ireland only) relate to children with disability or medical conditions.

Whitby School's medical conditions & the administration of medicines policy has been drawn up in consultation with the wider school community.

- a. Whitby School has consulted on the development of this medical condition policy with a wide-range of key stakeholders within Whitby School and community including:
- pupils/students with medical conditions
 - parents
 - health child team
 - staff
 - governors.
 - relevant local health services.
- b. Whitby School recognises the importance of providing feedback to those involved in the development process and is committed to acknowledging input and providing follow-up to suggestions put forward.
- a. Students are informed and will be routinely reminded about medical conditions and the administration of medicine policy:
- through Whitby School's student council system
 - in Whitby School newsletters
 - through the PSHE curriculum
 - through school-wide communication about the policy
 - in Whitby School assembly programme as appropriate.
- b. Parents will be informed and made aware of the medical conditions policy as follows:
- at the start of Whitby School year when communication is sent out about Healthcare Plans
 - in Whitby School newsletters
 - when their child is enrolled as a new student
 - via Whitby School's website
 - through school-wide communication about results of the monitoring and evaluation of the policy.
- c. Staff will be informed about the medical conditions & the administration of medicine policy as follows:
- through information presented at the first staff meeting of Whitby School year
 - through the new staff induction process
 - via Whitby School's website
 - at scheduled medical conditions' training
 - through the policies area to which all staff have access in the shared Google drive and which is regularly reviewed with updates being notified to staff.
- d. Relevant local health staff and other external stakeholders are informed and regularly reminded about Whitby School's medical conditions & the administration of medicine policy:
- by direct communication as appropriate
 - via Whitby School's website.

All staff understand and are trained in what to do in an emergency for the most common serious medical conditions at the school.

- All staff at Whitby School, including temporary or supply staff, are aware of the most common serious medical conditions. A list of such conditions is kept on Whitby School's central electronic record system accessible by all staff.
 - Staff at Whitby School understand their duty of care to pupils/students in the event of an emergency. In an emergency situation, staff are required under common law duty of care to act like any reasonably prudent parent. This may include administering medication.
 - All staff who work with groups of pupils/students at Whitby School will receive training and know what to do in an emergency for the pupils/students in their care with medical conditions.
 - Training is refreshed for all staff and records are maintained of this.
 - Action for staff to take in an emergency for the common serious conditions at Whitby School will be displayed in prominent locations for all staff including the staff room, kitchens/on relevant databases to which staff have access as appropriate.
 - Whitby School uses Healthcare Plans to inform the appropriate staff (including supply teachers and support staff) of pupils/students in their care who may need emergency help.
 - Whitby School has procedures in place so that a copy of the student's Healthcare Plan is sent to the emergency care setting with the student. On occasions when this is not possible, the form is sent (or the information on it is communicated) to the hospital as soon as possible.
- a. All staff know what action to take in the event of a medical emergency. This includes:
- **how to contact emergency services and what information to give**
 - All members of staff can contact the emergency services if required to do so by dialing 999 or by contacting Reception.
 - They should have relevant information about the individual's symptoms, personal details, and any known medical conditions.
 - **who to contact within Whitby School**
 - In the event of an emergency, a member of the SLT should be notified immediately who should coordinate the process ensuring:
 - that the relevant emergency services have been called.
 - the individual's medical record is checked and any Healthcare Plans are readily available
 - personal details are available and parents/carers are notified of the emergency
 - that reception is notified and site staff are informed in order to prepare for the arrival of the emergency services.
- b. Training is refreshed for all staff annually, or when circumstances change for a pupil/student.
- c. Action to take in a general medical emergency is displayed in prominent locations for staff. This may include classrooms, the staff room, food preparation areas and PE office, as appropriate.
- d. If a student needs to be taken to hospital, a member of staff will accompany them and will stay with them until a parent arrives. Whitby School tries to ensure that the staff member will be one whom the pupil or student knows.

- e. Generally, in an emergency situation, staff should not take pupils/students to hospital in their own car. Advice should be sought directly from the emergency services.

Whitby School has clear guidance on the administration of medication at both schools.

Administration – emergency medication

- Whitby School staff understand the importance of emergency medication being taken and care received as detailed in the student's IHP.
- Whitby School staff will not give medication (prescription or non-prescription) to a child under 16 without a parent's written consent, except in exceptional circumstances, and every effort will be made to encourage the student to involve their parent, while respecting their confidentiality.
- When administering medication, for example pain relief, Whitby School will check the maximum dosage and when the previous dose was given. Parents will be informed. Whitby School will not give a student under 16 aspirin, unless prescribed by a doctor.
- All pupils/students at the school with a medical condition(s) will have **easy access to their emergency medication**.
- All pupils/students are encouraged to carry and administer their own emergency medication, when their parents and health specialists determine they are able to start taking responsibility for their condition. All pupils/students are to carry their emergency medication with them at all times, except if they are controlled drugs as defined in the Misuse of Drugs Act 1971. This is also the arrangement for off-site or residential visits.
- Pupils/students who do not carry and administer their own emergency medication will know where their medication is stored and how to access it.
- Pupils/students who do not carry and administer their own emergency medication will understand the arrangements for a member of staff (and the reserve member of staff) to assist in helping them take their medication safely.

Administration – general

- Any general request for medicine to be administered must come from the parent/carers who must complete a Form Med 1.
- All use of medication defined as a controlled drug, even if the pupil/student can administer the medication themselves, is to be done under the supervision of a named member of staff at the school. Medication will be locked away when not required.
- Medication will generally be administered during break or lunch times unless unavoidable.
- Whitby school staff understand the importance of medication being taken as prescribed.
- Whitby School staff will administer pain relief, if the parent has sent pain relief into school with the pupil/student, (eg, paracetamol) giving permission to administer as and when required. The pain relievers will be kept in the medicine cupboard with the child's name clearly labelled on the

medication.

- All staff are aware that there is no legal or contractual duty for any member of staff to administer medication, or supervise a student taking medication, unless they have been specifically contracted to do so.
- There are members of staff at Whitby School who have been specifically contracted to administer medication.
- Many other members of staff are happy to take on the voluntary role of administering medication. For medication where no specific training is necessary, any member of staff may administer prescribed and non-prescribed medication to pupils/students under the age of 16, with the written consent of the student's parent/carer.
- Training is given to all staff members who agree to administer medication to pupils/students, where specific training is needed.
- All staff are to be aware, including through this policy, that they are required, under common law duty of care, to act like any reasonably prudent parent in an emergency situation. This may include taking action such as administering medication.
- In some circumstances, medication is only administered by an adult of the same gender as the student and preferably witnessed by a second adult.
- Parents at Whitby School understand that if their child's medication changes or is discontinued, or the dose or administration method changes, they should notify Whitby School immediately.
- If a student at Whitby School refuses their medication, staff record this and follow procedures. Parents will be informed as soon as possible.
- All staff attending off-site visits are aware of any pupils/students with medical conditions on the visit. They must ensure they receive information about the type of condition, what to do in an emergency and any other additional support necessary, including any additional medication or equipment needed before embarking on the visit.
- If a trained member of staff, who is usually responsible for administering medication, is not available, Whitby School staff will make alternative arrangements to provide the service. This will be addressed in the risk assessment for the off-site activity.
- School staff will meet with the student (where appropriate), parent, and relevant healthcare services (as appropriate) prior to any overnight or extended day visit to discuss and make a plan for any extra care requirements that may be needed. This will be recorded in the student's IHP which accompanies them on the visit.
- If a pupil or student misuses medication, either their own or another pupil's/student's, their parents will be informed as soon as possible. These pupils/students will be subject to Whitby School's usual disciplinary procedures.

Safe storage – general

- There is an identified member of staff who will ensure the correct storage of medication at school.

- All controlled drugs will be kept in a locked cupboard and only named staff will have access, even if pupils/students normally administer the medication themselves.
- Three times a year the identified member of staff will check the expiry dates for all medication stored at school. This must be completed at the start of the Autumn Term, Spring Term and Summer Term.
- The identified member of staff, along with the parents of pupils/students with medical conditions, will ensure that all emergency and non-emergency medication brought into school is clearly labeled with the student's name, the name and dose of the medication and the frequency of dose. This includes all medication that pupils/students carry themselves.
- All medication will be supplied and stored, wherever possible, in its original container as prescribed by the doctor. All medication should be labelled with the pupil's/student's name, the name of the medication, expiry date and the prescriber's instructions for administration, including dose and frequency.
- Medication will be stored in accordance with instructions, paying particular note to temperature.
- Some medication for pupils/students may need to be refrigerated. All refrigerated medication will be clearly labelled. Refrigerators used for the storage of medication are in a secure area, inaccessible to unsupervised pupils/students.
- All medication will be sent home with pupils/students at the end of the year. Medication will not be stored over the summer holidays.
- It is the responsibility of parents/carers to ensure new and in date medication comes into school on the first day of the new academic year.

Safe disposal

- Parents are asked to collect out-of-date medication. Out of date medication not collected after 30 days will be disposed of.
- If parents do not pick up out-of-date medication, or at the end of the year, medication will be taken to a local pharmacy for safe disposal.
- Sharps boxes will be used for the disposal of needles. Parents/carers are to obtain sharps boxes from the child's GP or pediatrician on prescription. All sharps boxes in the schools will be stored in a locked cupboard unless alternative safe and secure arrangements are put in place on a case-by-case basis.
- If a sharps box is needed on an off-site or residential visit, a named member of staff will be responsible for its safe storage and return to a local pharmacy or to school or the student's parent.
- Collection and disposal of sharps boxes will be arranged with a suitable environmental service or via parents/carers.

Whitby School has clear guidance about record keeping

Enrolment forms

- Whitby School uses an IHP at the suggestion and with advice from medical professionals to record and support an individual pupil's/student's needs around their medical condition. The IHP will be developed with the pupil/student (where appropriate), parent, staff, and relevant healthcare services, as appropriate.
- Parents of pupils/students will be asked if their child has any health conditions or health issues on the enrolment form, which is filled out at the start of each school year. The forms are GDPR compliant. Parents of new pupils/students starting at other times during the year are also asked to provide this information on enrolment forms. This information is then recorded on Whitby School's management information software (MIS). Parents/carers will be required to provide information including details about their son/daughter's:
 - medical conditions
 - allergies
 - regular medication
 - emergency contact numbers
 - name of their doctor.

Healthcare Plans

Drawing up Healthcare Plans

The school uses a Healthcare Plan, written by medical professionals alongside parents to record important details about individual children's medical needs at school, their triggers, signs, symptoms, medication and other treatments. Further documentation can be attached to the Healthcare Plan if required. A Healthcare Plan, accompanied by an explanation of why and how it is used, is sent to all parents of pupils/students with a long-term medical condition. This is sent:

- at the start of the school year
- at enrolment
- when a diagnosis is first communicated to the school.

If a pupil/student has a short-term medical condition that requires medication during school hours, a medication form with an explanation will be sent to the pupil's/student's parent/carer to complete.

The parents/carers, healthcare professional and pupil or student with a medical condition, will be asked to fill out the Healthcare Plan together. Parents/carers should return the completed form to the school. The school will ensure that a relevant member of staff is also present, if required, to help draw up a Healthcare Plan for pupils/students with complex healthcare or educational needs.

School Healthcare Plan Register

Healthcare Plans are used to create a centralised register of pupils/students with medical needs. An identified member of staff has responsibility for the register at the school. The responsible member of staff follows up with the parents/carers any further details on the child's Healthcare Plan, or if permission for administration of medication is unclear or incomplete.

Ongoing communication and review of Healthcare Plans

Parents are regularly reminded to update their child's Healthcare Plan if their child has a medical emergency or if there have been changes to their symptoms (getting better or worse), or their

medication and treatments change. Staff will use opportunities such as teacher–parent interviews and home–school planners to check that information held by the school on a child’s condition is accurate and up to date. The parents of **ALL** children with Healthcare Plans will be contacted each term to remind them to amend or update Healthcare Plans. Every child with a Healthcare Plan will have their plan discussed and reviewed at least once a year.

Storage and access to Healthcare Plans

Parents will be provided with a copy of their child’s current agreed Healthcare Plan. Healthcare Plans are kept against the student record in the school’s MIS database and in a secure location in the child’s school file.

Apart from the central copy, specified members of staff (agreed by the child and parents) will securely hold copies of the Healthcare Plan, for those pupils/students with complex health needs. These copies will be updated at the same time as the central copy. All members of staff who work with groups of pupils/students will have access to the Healthcare Plans of the children in their care.

When a member of staff is new to a group, for example due to staff absence, the school will ensure they are made aware of (and have access to) the Healthcare Plans of pupils/students in their care. Whitby School’s Governing Body will ensure that all staff protect pupil/student confidentiality.

The school will seek permission from parents to allow the Healthcare Plan to be sent ahead to emergency care staff, should an emergency occur during school hours or at a school activity outside the normal school day. This permission is included on the Healthcare Plan. The school will seek permission from the child and parents before sharing any medical information with any other party, such as when a child undertakes a work experience placement.

Use of Healthcare Plans

Healthcare Plans are used by the schools to:

- inform the appropriate staff and supply teachers about the individual needs of student with a medical condition in their care
- remind pupils/students with medical conditions to take their medication when they need to and, if appropriate, remind them to keep their emergency medication with them at all times
- identify common or important individual triggers for pupils/students with medical conditions at school that bring on symptoms and can cause emergencies. The school uses this information to help reduce the impact of common triggers
- ensure that all medication stored at school is within the expiry date
- ensure the school’s local emergency care services have a timely and accurate summary of a child’s current medical management and healthcare in the event of an emergency
- remind parents/carers of children with medical conditions to ensure that any medication kept at school for their child is within its expiry dates. This includes spare medication.

Consent to administer medicines

If a student requires regular prescribed or non-prescribed medication at school, parents are asked to provide consent on their child’s Healthcare Plan giving the student or staff permission to administer medication on a regular/daily basis, if required. A separate form is sent to parents for pupils/students taking short courses of medication. All parents of pupils/students with a medical condition who may require medication in an emergency are asked to provide consent on the Healthcare Plan for staff to administer medication. If a child requires regular/daily help in administering their medication then the school will outline the agreement to administer this medication on the Healthcare Plan.

Residential visits

Whitby School understands that there may be additional medication, equipment or other factors to consider when planning residential visits. Whitby School considers additional medication and facilities that are normally available at school. Risk assessments are carried out before pupils/students start any work experience or off-site educational placement. It is Whitby School's responsibility to ensure that the placement is suitable, including travel to and from the venue for the student. Permission is sought from the child and their parents before any medical information is shared with an employer or other education provider.

Whitby School reviews medical emergencies and incidents to see how they could have been avoided. Appropriate changes to Whitby School's policy and procedures are implemented after each review.

Physical environment

Whitby School is committed to providing a physical environment that is accessible to pupils/students with medical conditions. Whitby School makes sure that pupils/students with medical conditions can participate fully in all aspects of the curriculum and enjoy the same opportunities at school as any other child, and that appropriate adjustments and extra support are provided. Children with medical conditions are included in the consultation process to ensure the physical environment at the schools is accessible. Whitby School is committed to providing an accessible physical environment and enabling all children to partake in off-site activities and visits. This sometimes means changing activities or locations.

Social interactions

Whitby School ensures the needs of pupils/students with medical conditions are adequately considered to ensure their involvement in structured and unstructured social activities, including during breaks and before and after school. Whitby School ensures the needs of pupils/students with medical conditions are adequately considered to ensure they have full access to extended school activities such as school productions, after-school clubs and residential visits. All staff are aware of the potential social problems that pupils/students with medical conditions may experience. Staff use this knowledge to try to prevent and deal with problems in accordance with Whitby School's anti-bullying and behaviour policies. Staff use opportunities such as personal, social and health education lessons (PHSE) to raise awareness of medical conditions amongst pupils/students and to help create a positive social environment.

Exercise and physical activity

Whitby School understands the importance of all pupils/students taking part in sports, games and activities. Whitby School ensures all classroom teachers; PE teachers and sports coaches make appropriate adjustments to sports, games and other activities to make physical activity accessible to all pupils/students. Whitby School ensures all classroom teachers, PE teachers and sports coaches understand that pupils/students should not be forced to take part in an activity if they feel unwell or are experiencing symptoms relating to their medical condition. Teachers and sports coaches are aware of pupils/students in their care who have been advised to avoid or to take special precautions with particular activities. Whitby School ensures all PE teachers, classroom teachers and school sports coaches are aware of the potential triggers for pupils/students' medical conditions when exercising and how to minimize these triggers or deal with potential outcomes. Whitby School ensures all pupils/students have the appropriate medication or food with them during physical activity and that pupils/students take them when needed. Whitby School ensures all pupils/students with medical conditions are actively encouraged to take part in out-of-school clubs and team sports.

The Governing Body has a responsibility to:

- recognise that pupils/students may need to take medication in school. Whitby School has a duty of care to pupils/students at school and will do all that is reasonably practicable to safeguard and promote welfare.
- take responsibilities in principle for the administration of medicines during school time in accordance with the Government's and LA policies and guidelines.
- Fully indemnify all staff against claims for any alleged negligence, provided they are acting within their conditions of service and following government guidelines.

Whitby School's employer has a responsibility to:

- ensure the health and safety of their employees and anyone else on the premises or taking part in school activities (this includes all pupils/students). This responsibility extends to those staff and others leading activities taking place off-site, such as visits, outings or field trips
- ensure health and safety policies and risk assessments are inclusive of the needs of pupils/students with medical conditions
- make sure the medical conditions policy is effectively monitored and evaluated and regularly updated
- report to parents, pupils/students, school staff and the local authority about the successes and areas for improvement of Whitby School's medical conditions policy
- provide indemnity for staff who volunteer to administer medication to pupils/students with medical conditions.

The headteacher has a responsibility to:

- ensure the school is inclusive and welcoming and that the medical conditions and the administration of medical conditions policy is in line with local and national guidance and policy frameworks
- liaise between interested parties, which may include pupils/students, school staff, special educational needs coordinators, pastoral support/welfare officers, teaching assistants, parents, governors, health professionals, the local authority transport service, and local emergency care services
- ensure the policy is put into action, with good communication of the policy to all
- ensure all aspects of the policy are maintained
- ensure that information held by the school is accurate and up to date and that there are good information sharing systems in place using pupils/students' Healthcare Plans
- ensure child confidentiality
- assess the training and development needs of staff and arrange for these to be met. Specified staff, qualified First Aiders, office staff and teaching assistants who volunteer their services for specific duties will be given training to administer medication. **All staff are given training in areas where a learner has a specific illness; eg, Epipen administration for Diabetes.**
- ensure all supply teachers and new staff know the medical conditions policy
- delegate a staff member to check the expiry date of medicines kept at school and maintain the medical conditions register
- monitor and review the policy at least once a year, with input from pupils/students, parents, staff and external stakeholders
- update the policy at least once a year according to review recommendations and recent local and national guidance and legislation
- report back to the Governing Body and all key stakeholders about implementation of the medical conditions policy as required.

All staff at Whitby School have a responsibility to:

- be aware of the potential triggers, signs and symptoms of common medical conditions and know what to do in an emergency

- understand Whitby School's medical conditions policy
- know which pupils/students in their care have a medical condition and be familiar with the content of the student's Healthcare Plan
- allow all pupils/students to have immediate access to their emergency medication
- maintain effective communication with parents including informing them if their child has been unwell at school
- ensure pupils/students who carry their medication with them have it when they go on a school visit or out of the classroom
- be aware of pupils/students with medical conditions who may be experiencing bullying or need extra social support
- inform the Headteacher if they require additional training if they still have a lack of understanding
- understand the common medical conditions and the impact it can have on pupils/students (pupils/students should not be forced to take part in any activity if they feel unwell)
- ensure all pupils/students with medical conditions are not excluded unnecessarily from activities they wish to take part in
- ensure pupils/students have the appropriate medication or food with them during any exercise and are allowed to take it when needed.

Teachers have a responsibility to:

- ensure pupils/students who have been unwell catch up on missed school work
- be aware that medical conditions can affect a student's learning and provide extra help when pupils/students need it
- liaise with parents, the student's healthcare professionals, special educational needs coordinator and welfare officers if a child is falling behind with their work because of their condition
- use opportunities such as PSHE and other areas of the curriculum to raise student awareness about medical conditions.

The Healthy Child Team has a responsibility to:

- help update Whitby School's medical conditions policy
- help provide regular training for school staff in managing the most common medical conditions at school
- provide information about where Whitby School can access other specialist training.

First aiders have a responsibility to:

- give immediate help to casualties with common injuries or illnesses and those arising from specific hazards
- when necessary ensure that an ambulance or other professional medical help is called.

The SENCo has the responsibility to:

- help update Whitby School's medical condition policy
- know which pupils/students have a medical condition and which have special educational needs because of their condition
- ensure pupils/students who have been unwell catch up on missed schoolwork
- ensure teachers make the necessary arrangements if a child needs special consideration or access arrangements in exams or coursework.

The Heads of Year/Pastoral support staff have the responsibility to:

- help update Whitby School's medical conditions policy
- know which pupils/students have a medical condition and which have special educational needs because of their condition
- ensure all pupils/students with medical conditions are not excluded unnecessarily from activities

they wish to take part in.

Individual doctors and specialist healthcare professionals caring for pupils/students, who attend the schools, have a responsibility to:

- complete the student's Healthcare Plans provided by parents
- where possible, and without compromising the best interests of the child, try to prescribe medication that can be taken outside of school hours
- offer every child or young person (and their parents) a written care/self-management plan to ensure children and young people know how to self-manage their condition
- ensure the child or young person knows how to take their medication effectively
- ensure children and young people have regular reviews of their condition and their medication
- provide Whitby School with information and advice regarding individual children and young people with medical conditions (with the consent of the student and their parents)
- understand and provide input into Whitby School's medical conditions policy and/or Health Care Plans.

The pupils/students have a responsibility to:

- treat other pupils/students with and without a medical condition equally
- tell their parents, teacher or nearest staff member when they are not feeling well
- let a member of staff know if another student seems or is feeling unwell
- let any student take their medication when they need it, and ensure a member of staff is called
- treat all medication with respect
- know how to gain access to their medication in an emergency
- if mature and old enough, know how to take their own medication and to take it when they need it
- ensure a member of staff is called in an emergency situation.

The parents of a child have a responsibility to:

- tell the school if their child has a medical condition
- ensure the school has a complete and up-to-date Healthcare Plan for their child
- inform the school about the medication their child requires during school hours
- inform the school of any medication their child requires while taking part in visits, outings or field trips and other out-of-school activities
- tell the school about any changes to their child's medication, what they take, when, and how much
- inform the school of any changes to their child's condition
- ensure their child's medication and medical devices are labelled with their child's full name
- provide the school with appropriate spare medication labelled with their child's name
- ensure that their child's medication is within expiry dates
- keep their child at home if they are not well enough to attend school
- ensure their child catches up on any school work they have missed
- ensure their child has regular reviews about their condition with their doctor or specialist healthcare professional
- ensure their child has a written care/self-management plan from their doctor or specialist healthcare professional to help their child manage their condition.

Legislation and guidance

Introduction

- Local authorities, schools and governing bodies are responsible for the health and safety of pupils/students in their care.
- Areas of legislation that directly affect a medical conditions policy are described in more detail in Managing Medicines in Schools and Early Years Settings. The main pieces of legislation are the

Disability Discrimination Act 1995 (DDA), amended by the Special Educational Needs and Disability Act 2001 (SENDA) and the Special Educational Needs and Disability Act 2005. These acts make it unlawful for service providers, including schools, to discriminate against disabled people. Other relevant legislation includes the Education Act 1996, the Care Standards Act 2000, the Health and Safety at Work Act 1974, the Management of Health and Safety at Work Regulations 1999 and the Medicines Act 1968.

- This section outlines the main points from the relevant legislation and guidance that schools should consider when writing a medical conditions policy.

Managing Medicines in Schools and Early Years Settings

This provides guidance from the DfE and the Department for Health on managing medicines in schools and early years settings. The document includes the following chapters:

- developing medicines policies
- roles and responsibilities
- dealing with medicines safely
- drawing up a Healthcare Plan
- relevant forms.

Medical Conditions at School: A Policy Resource Pack is designed to work alongside Managing Medicines in Schools and Early Years Settings.

Disability Discrimination Act 1995 (DDA) and the Special Educational Needs and Disability Acts (2001 and 2005)

- Many pupils/students with medical conditions are protected by the DDA and SENDA, even if they don't think of themselves as 'disabled'.
- The Commission for Equality and Human Rights (CEHR) (previously the Disability Rights Commission) publishes a code of practice for schools, which sets out the duties under the DDA and gives practical guidance on reasonable adjustments and accessibility. The CEHR offers information about who is protected by the DDA, schools' responsibilities and other specific issues.

The school's responsibilities include:

- not to treat any student less favourably in any school activities without material and sustainable justification
- to make reasonable adjustments that cover all activities – this must take into consideration factors such as financial constraints, health and safety requirements and the interests of other pupils/students. Examples of reasonable adjustments can be found in the DfES resource: Implementing the DDA in Schools and Early Years Settings*
- to promote disability equality in line with the guidance provided by the DCSF and CEHR through the Disability Equality Scheme.

The Education Act 1996

Section 312 of the Education Act covers children with special educational needs, the provisions that need to be made and the requirements local health services need to make to help a local authority carry out its duties.

The Care Standards Act 2000

This act covers residential special schools and responsibilities for schools in handling medicines.

Health and Safety at Work Act 1974

This act places duties on employers for the health and safety of their employees and anyone else on their premises. This covers the head teacher and teachers, non-teaching staff, pupils/students and visitors.

Management of Health and Safety at Work Regulations 1999

These regulations require employers to carry out risk assessments, manage the risks identified and to communicate these risks and measures taken to employees.

Medicines Act 1968

This act specifies the way that medicines are prescribed, supplied and administered.

Additional guidance

Other guidance resources that link to a medical conditions policy include:

- Healthy Schools Programme – a medical conditions policy can provide evidence to help schools achieve their healthy school accreditation
- Every Child Matters: Change for Children (2004). The 2006 Education Act ensures that all schools adhere to the five aims of the Every Child Matters agenda
- National Service Framework for Children and Young People and Maternity Services (2004) – provides standards for healthcare professionals working with children and young people including school health teams
- Health and Safety of Students on Educational Visits: A Good Practice Guide (2001) – provides guidance to schools when planning educational and residential visits
- Misuse of Drugs Act 1971 – legislation on the storage and administration of controlled medication and drugs
- Home to School Travel for Students Requiring Special Arrangements (2004) – provides guidance on the safety for pupils/students when traveling on local authority provided transport
- Including Me: Managing Complex Health Needs in School and Early Years Settings (2005).

Further advice and resources

The Anaphylaxis Campaign

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Asthma UK

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Phone 020 7786 4900

Fax 020 7256 6075

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Diabetes UK

Macleod House

10 Parkway

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Epilepsy Action

New Anstey House
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Yeadon

Leeds LS19 7XY

Phone 0113 210 8800

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epilepsy@epilepsy.org.uk www.epilepsy.org.uk

Long-TermConditions Alliance

202 Hatton Square
16 Baldwins Gardens
London EC1N 7RJ

Phone 020 7813 3637

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info@ltca.org.uk www.ltca.org.uk

**Department for Children,
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Sanctuary Buildings
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Phone 0870 000 2288

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info@dcsg.gov.uk www.dcsf.gov.uk

Council for Disabled Children

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8 Wakley Street
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