

Kirsty Williams AC/AM  
Y Gweinidog Addysg  
Minister for Education



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-931  
Ein cyf/Our ref KW/07583/19

Janet Finch-Saunders AM  
Chair, Petitions Committee  
National Assembly for Wales  
Ty Hywel  
Cardiff Bay  
Cardiff  
CF99 1NA

27 November 2019

Dear Janet,

Thank you for your letter of 22 November regarding Petition P-05-931 Sun cream in schools from Leigh O'Connor.

Health and safety is not devolved to the Welsh Government and the responsibilities in schools are derived from the Health and Safety at Work Act 1974 and the associated Management of Health and Safety at Work Regulations 1999. Legislation requires employers (governing bodies/local authorities) to assess and manage risks. In the case of schools this is usually enforced by the Health and Safety Executive (HSE).

Statutory responsibility for the health and safety of pupils lies with the governing body of the school, either as the employer of school staff or because it controls school premises, in many cases both.

Under the general law of negligence, school teachers are required to take care of children under the age of 18 as if they were the parent. They are under an obligation to treat and take care of a pupil as a careful parent would.

The Welsh Network of Healthy School Schemes is led by Public Health Wales to promote responsibility for maintaining and promoting the health of school communities. This is achieved through formally teaching pupils about how to lead healthy lives and by enabling pupils and staff to take control over aspects of the school environment which influence their health. Sun safety would come under this theme. All schools are participants in the scheme and each local authority has a Healthy Schools co-ordinator to support schools.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Guidance on sun safety, including that provided by the Welsh Network of Healthy School Schemes suggests that schools should:

- Actively consider sun exposure risk when planning outdoor activities during the summer.
- Engage with parents to agree a local approach to the provision and application of sunscreen of at least SPF15.
- Actively encourage parents to provide hats, sunglasses and appropriate clothing during the summer and particularly when outdoor activities are planned.
- Ensure that the school grounds have access to shade for very hot days.
- Avoid prolonged outdoor activities during the hottest part of the day i.e. 11am – 3 pm between March and October.

The guidance given on sun safety by the Welsh Network of Healthy School Schemes is the responsibility of Public Health Wales (PHW), as they provide policy advice to the Welsh Government on sun safety and manage the Healthy Schools Framework.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Kirsty Williams'.

**Kirsty Williams AC/AM**  
Y Gweinidog Addysg  
Minister for Education