

Kirsty Williams AC/AM
Y Gweinidog Addysg
Minister for Education



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-932
Ein cyf/Our ref KW/07585/19

Janet Finch-Saunders AM
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04 December 2019

Dear Janet,

Thank you for your letter of 22 November regarding Petition P-05-932 'Education on food allergies in schools and mandatory epi-pen training' from Archie's Allergies. I recognise how important it is that parents/carers and learners with allergies feel confident with the support provided in school.

It is important that schools provide high quality support for learners with allergies, to help prevent exposure to allergens and to respond appropriately to any allergic reactions. Our approach, which combines legislation and statutory guidance, sets out a high expectation of schools whilst giving them the necessary flexibility in deciding how best to support their pupils with healthcare needs.

Local authorities and school governing bodies already have legal duties to provide suitable education and support for learners with healthcare needs:

- Under the Education Act 1996 local authorities must provide suitable education for all learners and school governing bodies must ensure arrangements are in place to support learners, and that staff consult the relevant professionals, learners and parents to ensure the needs of the learner are properly understood and effectively supported.
- Under Section 175 of the Education Act 2002 local authorities and school governing bodies must make arrangements to ensure their functions are exercised with a view to safeguarding and promoting the welfare of children in school or another place of

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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.

learning. This includes supporting children with healthcare needs. In meeting these duties local authorities and governing bodies must have regard to guidance issued by the Welsh Ministers.

- Section 21(5) of the Education Act 2002 places a duty on governing bodies to promote the well-being of learners at the school, including physical and mental health and emotional well-being, education, training and recreation, and social well-being.

To support local authorities and governing bodies with their legal duties, the Welsh Government published [Supporting Learners with Healthcare Needs](#) statutory guidance in 2017, in consultation with a diverse range of stakeholders, including allergy organisations.

This statutory guidance requires local authorities and education settings in Wales to have a healthcare needs policy in place that is readily available to staff and parents. The policy should seek to ensure that pupils with any medical condition, including allergies, are properly supported.

The key expectations are that:

- Learners with healthcare needs should be properly supported so that they have full access to education, including trips and physical education.
- Governing bodies must ensure that arrangements are in place to support learners with healthcare needs.
- Governing bodies should ensure that education setting staff consult the relevant professionals, learners and parents to ensure the needs of the learner with healthcare needs are properly understood and effectively supported.

The guidance also states that school staff should be trained to recognise the signs, symptoms and triggers of common life-threatening medical conditions and know what to do in an emergency. This includes training on how to administer an adrenaline auto-injector (AAI), sometimes referred to by the brand name Epi-Pen.

Following a change in UK legislation, since 1 October 2017, education settings can purchase AAIs without the need of a prescription, for use in emergencies. We published [Guidance on the Use of Emergency Adrenaline Auto-Injectors in Schools in Wales](#), drafted in collaboration with a range of stakeholders, including health specialists and allergy organisations. This guidance provides advice on recognising and responding to an anaphylactic shock, use of an AAI, reducing risk of allergen exposure, the supply, storage, care and disposal of emergency AAIs and links to information. Further training and support around allergies and the use of AAIs is available to schools from school nursing services and allergy teams based in health boards.

The Welsh Government acknowledges that life-saving skills and emergency first aid procedures are important for all to learn and we are keen to raise awareness of these skills. As part of the Personal and Social Education (PSE) element of the curriculum, schools are able, at their discretion, to invite organisations to present to their pupils on a range of issues including food allergies. We are currently developing a new curriculum for Wales to raise standards and enable all learners to make progress in relation to the four purposes.

The Health and Well-being Area of Learning and Experience is being designed to support the development of the fundamentals of health and well-being in learners, while allowing professionals to shape specific content as appropriate to their learners. It will remain important for schools will still want to draw upon the expertise and support of specialist providers to enhance their provision.

The EU Food Information for Consumers Regulation No. 1169/2011 requires school caterers in Wales to make available the allergen ingredients information for the food and drink they serve in school. My officials attend regular meetings with school caterers, local authorities and dieticians where issues around food allergies are discussed in depth.

We are also changing the Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations 2013, and revising the statutory guidance for schools. We will ensure stakeholders are involved in the revision and I would encourage all with an interest in allergies to share their views as part of the public consultation.

From a health perspective, we are currently reviewing our approach to allergies and immunology, and the Deputy Chief Medical Officer will host a meeting with relevant specialists in January 2020 to discuss a range of issues, including awareness raising of allergies. Further engagement will take place with our stakeholders on this matter, which is likely to include the Royal College of Paediatrics and Child Health (RCPCH), Anaphylaxis Campaign and Allergy UK.

I consider the existing legislation together with statutory guidance and the upcoming revision of the 'Healthy Eating in Schools' Regulations and statutory guidance to be sufficient, and do not feel it is necessary at this time to legislate further on schools' response to pupils with allergies. We will continue to work with and take into account the views of parents/carers and learners, allergy organisations and others on supporting learners with allergies in schools.

Yours sincerely,

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

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