

The Vale of Glamorgan Council

Cabinet Meeting: 19 February, 2018

Report of the Cabinet Member for Learning and Culture

Healthcare Needs Policy

Purpose of the Report

1. To seek endorsement from Cabinet for the Vale of Glamorgan Council's Healthcare Needs Policy ([Appendix A](#)).

Recommendation

1. That Cabinet endorse the Vale of Glamorgan Council's Healthcare Needs Policy.

Reason for the Recommendation

1. To meet the Council's statutory requirement to produce and publish a Healthcare Needs Policy.

Background

2. In March 2017, Welsh Government published the 'Supporting Learners with Healthcare needs guidance' document ([Appendix B](#)). The guidance requires all maintained nursery, primary, secondary and special schools, pupil referral units (PRUs) and local authorities (LAs) in Wales to implement a healthcare needs policy and to publish it online at the earliest opportunity. The LA healthcare needs policy was expected to be overarching in content and should set out how schools and PRUs will support learners with healthcare needs.
3. In November 2017, the LA produced a model policy for schools to support them in developing their policies ([Appendix C](#)). The LA has worked with schools to ensure that they have a policy in place which is published online as per Welsh Government requirements.

Relevant Issues and Options

4. Healthcare issues affect each learner individually and support from the education setting may have an impact on their quality of life and future chances. Therefore, governing bodies and headteachers should ensure arrangements focus on meeting the needs specific to the learner and consider how this impacts on their education, attainment and well-being. Arrangements should give learners and parents confidence that provision is suitable and effective.

5. Local authorities and governing bodies must ensure arrangements properly support learners and minimise disruption or barriers to their education. Arrangements should also consider any wider safeguarding duties while seeking to ensure all learners can access and enjoy the same opportunities.
6. This includes creating and maintaining effective healthcare needs policies in the local authority and education settings. The policy is not expected to be lengthy or complex or cover every possible medical condition, but it should have a broad and relevant approach to the local authority or individual education setting. It will need to be available online for parents and learners to read and not contain any personal or confidential information.
7. Consideration needs to be given to flexible delivery of the curriculum to help learners reintegrate with the education setting during periods of absence, e.g. through suitable part-time study, alternative provision from the local authority and phased returns.
8. A collaborative approach when making decisions around support is crucial. This includes listening to the wishes and advice of the learner, parent, education and health professionals. The best interests of the learner must be the primary concern when making decisions which affect them.
9. When making arrangements to support learners, there are specific roles that may be placed on the governing body and the education settings staff. While outside support can be delivered such as training or advice from healthcare professionals or organisations, ultimately the governing body is responsible for, and must promote, the well-being of all learners at the school.
10. Local authorities should ensure education provision is available to learners, and:
 - must make reasonable adjustments to ensure disabled children and young people are not at a substantial disadvantage compared with their peers. This duty is anticipatory. For example, learners should not be disadvantaged when leaving primary school and beginning secondary school. In practical terms this means adjustments must be planned and implemented in advance to prevent any disadvantage. Discussions around the responsibility for provision should not impact on the delivery of service, as delays could be detrimental to the education and well-being of the learner;
 - must make arrangements to promote cooperation between various bodies or persons, with a view to improving, among other things, the well-being of children in relation to their physical and mental health, their education, training and recreation. When making these arrangements, local authorities should ensure appropriate agreements are in place for data sharing. This could be through working within the Wales Accord on Sharing Personal Information (WASPI) Information Sharing Protocols or Data Disclosure Agreements;
 - must make reasonable provision of counselling services for young people aged 11–18 and learners in Year 6 of primary school. Within schools, this provision should complement the different approaches already in place to support the health, emotional and social needs of learners;
 - should work with education settings to ensure learners with healthcare needs receive a suitable education. Where a learner of compulsory school age would not receive a suitable education for any period because of their health, the local authority has a duty to make arrangements to provide suitable education;

- should provide support, advice and guidance, including how to meet the training needs of education setting staff, so that governing bodies can ensure the support specified within the individual healthcare plan (IHP) can be delivered effectively.

Resource Implications (Financial and Employment)

11. The LA and schools will need to consider the financial implications associated with ensuring that staff receive the training required to ensure the successful implementation of the policy.
12. It is possible that schools will face increased staffing costs from providing enhanced levels of support for learners with healthcare needs.

Sustainability and Climate Change Implications

13. The Council is committed to maximising its contribution to the well-being goals set out in the Well-being of Future Generations Act. The Act places a duty on the Council to exercise the Sustainable Development principle. In doing so, the Council must consider five ways of working to enable sustainable development. The policy set out above seeks to ensure decisions are taken which are sustainable in the long term. There is the potential for further integrated approaches to be developed in the way in which these services are offered and the policy indicates the need for a multi-agency and collaborative approach to be adopted.

Legal Implications (to Include Human Rights Implications)

14. Section 175 of the Education Act 2002 places a duty on local authorities and governing bodies to make arrangements to ensure their functions are exercised with a view to safeguarding and promoting the welfare of children in school or other places of learning. This includes supporting children with healthcare needs.
15. In meeting the duties under section 175 of the Education Act 2002, local authorities and governing bodies must have regard to guidance issued by the Welsh Ministers under this section.
16. The Education Act 2002 places a duty on governing bodies to promote the well-being of learners at the school so far as related to the matters mentioned in section 25(2) of the Children Act 2004, which includes physical and mental health and emotional well-being, education, training and recreation, and social well-being.
17. The non-statutory advice contained within this document is issued in exercise of the Welsh Ministers' duty to promote the education of the people of Wales and their power in relation to the promotion or improvement of the economic, social and environmental well-being of Wales.

Crime and Disorder Implications

18. There are no crime and disorder implications arising from this report.

Equal Opportunities Implications (to include Welsh Language issues)

19. The policy will protect and enhance the rights of learners with healthcare needs including those who are disabled under the definition set out in the Equality Act (2010) and/or have a statement of special educational needs.

Corporate/Service Objectives

20. These proposals are consistent with the Council's Corporate Plan, Well-being Outcome 3: An Aspirational & Culturally Vibrant Vale. The proposals seek to raise the overall standards of achievement, and will contribute to the achievement of a number of actions contained within the Corporate Plan. These actions include securing improved outcomes for groups of learners at risk of underachievement, increasing the learning opportunities for disadvantaged individuals and vulnerable families, as well as reducing the number of young people not in education, employment or training.

Policy Framework and Budget

21. This is a matter for Executive decision by the Cabinet.

Consultation (including Ward Member Consultation)

22. Not applicable.

Relevant Scrutiny Committee

23. Learning and Culture.

Background Papers

None.

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