

Cynulliad Cenedlaethol Cymru | National Assembly for Wales
Y Pwyllgor Plant, Pobl Ifanc ac Addysg | Children, Young People and
Education Committee

Blaenoriaethau ar gyfer y Pwyllgor Plant, Pobl Ifanc ac Addysg |
Priorities for the Children, Young People and Education Committee

CYPE 06

Ymateb gan : The Migraine Trust

Response from : The Migraine Trust

Question 1 – Within the remit set out above: what do you consider to be the priorities or issues that the Children, Young People and Education Committee should consider during the Fifth Assembly?

1. Medical needs in schools

Question 2 – From the list of priorities or issues you have identified, what do you consider to be the key areas that should be considered during the next 12 months (please identify up to three areas or issues)? Please outline why these should be considered as key priorities.

1. Medical needs in schools:

There is a need for a change in legislation in Wales to introduce a statutory duty of care for children with medical needs in schools. There is an opportunity to include this within the newly proposed Additional Learning Needs (ALN) Framework.

The Welsh Government's proposed ALN Framework documentation states that children with medical needs will not be covered by the ALN Bill (see page 30 of the draft ALN Code of Practice).

We ask the Committee to consider the inclusion of medical needs in the Additional Learning Needs Framework.

The current guidance framework for the management of medical conditions in a school setting differ in Wales and England. In England, the Children and Families Act 2014 came into force on 1 September 2014. Section 100 contains a statutory duty to support pupils with medical conditions,

meaning that in practice schools must make additional arrangements for supporting pupils at schools with medical conditions.

The legislation does not apply to schools in Wales. The rights of children and young people with medical needs in Wales during the school day are not protected in law to the same level as children in England. The current system in Wales puts children with medical conditions in Wales at an academic disadvantage in comparison to their peers in England and does not protect them whilst they are at school. We regularly receive enquiries from families of children whose attendance, attainment and overall educational experiences are compromised because of their condition and the lack of guaranteed support from the current framework. It is vital that children are kept safe and healthy whilst they are learning to enable them to achieve their full potential.

Providing support to children and young people with medical conditions to enable them to participate in all aspects of school life requires a co-ordinated effort. As a patient organisation, we represent the views of families affected by migraine. The support given to children with migraine in schools is inconsistent. Many find that their condition is not understood and has a negative impact on their education.

Children with migraine take an average between 32 days and 3 months off from school due to their migraine compared to the general population who take between 3-13 days off (Abu-Arafeh, Headache Disorders – not respected and not resourced – 2010). This can have a knock on effect on a young sufferer's education and performance, educational attainment, confidence, behavioural problems and their ability to make friends. No child's education should suffer as a result of their health condition.

We ask the Committee to consider the current situation and ask whether there is a need to bring the rights, support and protection provided to children and young people living with migraine in Wales in line with those in England?

There is currently a unique and rare legislative opportunity to do this during this Government's legislative programme.

We welcome the Chair of the Committee, Lynne Neagle AM's comments to the First Minister on 28th June 2016:

I do believe that the Welsh Government has a unique opportunity here, given the unprecedented cross-party support that there is for this legislation, to actually make a difference to children and young people's lives. The children and young people's committee scrutinised the draft Bill and responded to the legislation, and one of the key

concerns we had was that the draft Bill didn't do enough to actually tie in the health service. We all know from our own casework that that is absolutely fundamental—the connection between health and education.