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Edward Timpson MP
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Dear Alliance Colleagues,

Thank you for your letter of 26 February about Section 100 of the Children and Families Act 2014.

I am very proud of the introduction in to law of the new duty under Section 100 of the Act. This is a landmark move in making sure that all pupils are enabled to participate fully in school and their medical needs are supported so they are not placed at disadvantage or further risk. I would again like to thank the Alliance for the detailed support you gave during the development of the duty.

I welcome the information from your sample survey of schools and it is encouraging to see examples of good practice. I am, however, concerned about those schools that have not demonstrated that they have a policy in place. The guidance is clear that since September 2014 governing bodies must make arrangements to support pupils with medical conditions in school, including making sure that a policy for supporting such pupils in school is developed and implemented. In addition, local authorities have a duty to promote cooperation between relevant partners such as governing bodies of maintained schools, proprietors of academies, clinical commissioning groups and NHS England, with a view to improving the well-being of children, particularly their physical and mental health, education, training and recreation.

The duty and guidance apply to both maintained schools (including pupil referral units) and academies (including alternative provision academies but excluding 16–19 academies). They do not apply to independent schools. Early years settings are also excluded from their scope, as these are covered by the early years foundation stage.

We monitor the correspondence and enquiries that we receive from schools and parents on this, and there is no evidence of widespread evasion of this responsibility by schools. However, I have asked officials to think about what more

we can do to raise awareness. Guidance was provided to Ofsted inspectors, but with the introduction of the new inspection framework in September 2015 this has been reduced.

Thank you also for your kind invitation to meet to discuss these issues. Unfortunately, diary pressures mean that I am unable to accept at this time. However, please do keep me and officials informed on your future findings and developments in this area, as I am keen to make sure that our reforms embed in schools and local authorities.

*Yours sincerely,
Edward*

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