

<b>DIRECTORS' REPORT SPRING TERM 2019</b>	<b>ITEM NO 20</b>	<b>FOR INFORMATION</b>	<b>ATTENTION OF:</b> All governors
<b>TITLE</b>	<b>Supporting Pupils with Medical Conditions at School update</b>		
<b>SUMMARY</b>	Reminder and updated information on training and insurance through Ealing covering this area		
<b>KEY ACTION POINTS</b>	Ensure your GB has reviewed the school's, Supporting pupils with medical conditions at school policy		
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### Ealing policy

The revised Ealing policy on 'Supporting Pupils with Medical Conditions at School', based on the Department for Education (DfE) guidance 'Supporting Pupils with Medical Conditions at School' (2014) in addition to an range of other useful guidance and contacts is available on Ealing Grid for Learning [www.egfl.org.uk/medicines](http://www.egfl.org.uk/medicines)

As a reminder, we asked that all governing boards (GBs) review this policy according to their specific needs before adopting in the autumn 2018 term.

### Complete checklist

As part of the policy, appendix one contains a useful checklist to ascertain the school's current provision and future needs. In order to assess the impact of this policy across the local authority (LA), for any schools yet to complete, we would be grateful if a copy of the checklist could be completed (one per school) via our Survey Monkey version on this link: <https://www.surveymonkey.co.uk/r/MedicalConditions-Autumn2018>

The results will be grouped by phase, anonymised and only used to inform future training and support needs. Our intention is to repeat this in autumn 2019 to gauge the impact off the policy and further support and training needs.

### Training

As part of the provision to support this policy, the Ealing school nursing service has now published dates for training on the following:

- Implementing the school medical conditions policy
- Managing medical emergencies (Anaphylaxis, Epilepsy, Asthma and Diabetes).

Training dates, booking details and further information can be found on the link below:

[https://schools.ealingcpd.org.uk/courses/bookings/c\\_detail.asp?cid=15082](https://schools.ealingcpd.org.uk/courses/bookings/c_detail.asp?cid=15082)

For more information contact the School Nursing Team (Central London community healthcare NHS, trust) E mail: [clcht.ealingadminhub@nhs.net](mailto:clcht.ealingadminhub@nhs.net) Tel: 020 8102 5888

### Insurance provision

As part of the Council's commitment to supporting schools implement this policy, Ealing's insurance team have negotiated an increased level of cover. The Council's medical malpractice policy with its insurers provides for **blanket coverage** for the medical malpractice risks for all the insured activities of Ealing Council and schools (that buy into its insurance arrangements) subject to certain specific risks being excluded. Some of the excluded risks can be bought and will in the main be those services which are particularly unusual or require a bespoke underwriting approach. If an excluded risk is required, then the Council's insurance section ought to be contacted

which will then make enquiries. The insurer's new cover does not alter, dilute or reduce the cover provided by our public liability wording, but dovetails with the policy. To compare current and the new cover please see guidance on [www.egfl.org.uk/insurancedocs](http://www.egfl.org.uk/insurancedocs)

As an additional note please the insurance team have asked us to remind you that should a school or other Council establishment suffer property damage that may result in a claim being submitted to the Council's insurance section, then this must be reported in writing within 7 days. If this is not done, then the claim may be refused by insurers.

If damage is caused by faulty workmanship by a contractor, then the claim for damages must be submitted to the contractor. The Council's insurances do not cover damages because of faulty workmanship when there is recourse to recover losses from a third party.

For more details contact Mary Guruparan, Insurance Officer, [GuruparanM@ealing.gov.uk](mailto:GuruparanM@ealing.gov.uk)

## Medical Malpractice Insurance

The Council's medical malpractice policy with its insurers provides for **blanket coverage** for the medical malpractice risks for all the insured activities of Ealing Council and schools (that buy into its insurance arrangements) subject to certain specific risks being excluded. Some of the excluded risks can be bought and will in the main be those services which are particularly unusual or require a bespoke underwriting approach. If an excluded risk is required then the Council's insurance section ought to be contacted which will then make enquiries.

Our insurer's new cover does not alter, dilute or reduce the cover provided by our public liability wording, but dovetails with the policy.

Key features of the cover are:

Insurers – QBE

Policy Number – PMMP040913

### Policy Cover:

1. It is a stand alone separate policy. The wording is QBE PMMP040913 Medical Malpractice Liability Insurance.
2. Standard Limit of Indemnity is £5m Any One Occurrence and in the Aggregate.
3. The cover provided by the current Public Liability wording will remain unchanged and the Med Mal wording will compliment the PL wording. For instance abuse claims will remain the domain of the PL wording.
4. Cover will be on a blanket basis subject to certain exceptions (see below), where cover can be bought back subject to underwriting criteria.
5. We have the med mal decision tree to assist with the application of coverage under the PL policy. Those risks are allocated as follows:



Procedure/Activity/Use of	Public Liability	Medical Mal Practice Policy
Acupuncture	Yes subject to written details of procedures	No
Anal plugs	No	Yes
Apnea monitoring	Yes – in respect of monitoring via a machine following written guidelines. There is no cover available in respect of visual monitoring	No
Bathing	Yes – following training and in accordance with written guidelines	No
Blood samples	Yes – but only by Glucometer following written guidelines	No
Buccal midazolam	Yes – following written guidelines	No
Bladder wash out	No	Yes
Catheters	Yes – following written guidelines for the changing of bags and the cleaning of tubes. There is no cover available for the insertion of tubes	No
Colostomy/Stoma care	Yes – following written guidelines in respect of both cleaning and changing of bags	No
Chest drainage exercise	Yes – following written health care plan provided under the direction of a medical practitioner	No
Dressings	Yes – following written health care plan for both application and replacement of dressings	No
Defibrillators/First Aid only	Yes – following written instructions and appropriate documented training	No
Denture cleansing	Yes – following appropriate training	No
Ear syringe	No	Yes
Ear/Nose drops	Yes following written guidelines	No



Enema suppositories	No	Yes
Eye care	Yes – following written guidelines for persons unable to close eyes	No
First Aid	Yes – Should be qualified first aiders and applies during the course of the business for the benefit of employees and others	No
Gastronomy tube – Peg feeding	Yes – cover available in respect of feeding and cleaning following written guidelines but no cover available for tube insertion	No
Hearing aids	Yes – for assistance in fitting/replacement of hearing aids following written guidelines	No
Inhalers, and nebulisers	Yes – for both mechanical and held following written guidelines	No
Injections	Yes but only for the administering of pre packaged does on a regular basis pre prescribed by a medical practitioner and written guidelines	No
Medipens	Yes – following written guidelines with a preassembled epipen	No
Mouth toilet	Yes	No
Naso-gastric tube feeding	Yes following written guidelines but cover is only available for feeding and cleaning of the tube. There is no cover available for tube insertion or reinsertion which should be carried out by a medical practitioner.	No
Occupational therapy	No	Yes
Oral Medication	<p>Yes - subject to being pre-prescribed by a medical practitioner and written guidelines.</p> <p>Where this involves children, wherever possible Parents/Guardians should provide the medication prior to the child leaving home. A written consent form will be required from Parent/Guardian and this should be in accordance with LEA procedure on medicines in schools etc. Similar consideration should be given when asked to administer “over the counter” medicines.</p>	No



Oxygen – administration of	Yes – but only in respect of assisting user following written guidelines, i.e. applying a mask	No
Pessaries	No	Yes
Reiki	Yes	No
Physiotherapy	No	Yes
Pressure bandages	Yes – following written guidelines	No
Rectal medazalam in prepackaged dose	Yes – following written guidelines and 2 members of staff must be present	No
Rectal diazepam in prepackaged dose	Yes – following written guidelines and 2 members of staff must be present	No
Rectal Paraldehyde	No	Yes
Splints	Yes – as directed by a medical practitioner	No
Suction machine	No	Yes
Syringe drivers- programming of	No	Yes
Suppositories	No other than rectal diazepam and medazalam.	Yes
Swabs - External	Yes – following written guidelines	No
Swabs - Internal	No – other than oral following written guidelines	Yes
Toe nail cutting	Yes – following written guidelines. If the patient suffers with diabetes then the cover only applies if the procedure is carried out by a registered chiropodist/podiatrist.	No
Tracheostomy	No – Cover is only available for cleaning around the edges of the tube only following written guidelines	Yes
Ventilators	Yes – following written guidelines	No

- To further enhance the above table then certain specific risks will be allocated as follows between the covers:

### **Public Liability Cover**

1. Commissioning work as per the Authority's duties under the Health and Social Care Act 2012 (and any equivalent legislation in Scotland or Wales)
2. Procedures/treatments undertaken by non-medical staff with no invasive element
3. Advice/guidance on general health issues with no treatment being undertaken by Local authority/Police/Fire staff
4. Police custody suite care other than where medical decisions are being made.
5. Emergency first aid provided by non-medical staff.
6. Abuse Claims.

### **Medical Malpractice Cover**

1. Treatments/Advice given by trained medical staff. Cover to be provided for medical staff (Individual) and for the Authority (entity sub MDO Clause).
2. Procedures/treatments involving an invasive element undertaken by non-medical staff operating to care plans and following training by medical staff – As per the table above. Other treatments can be considered.
3. Healthcare treatment provided by Authority staff e.g. vaccinations – subject to adequate training.
4. Emergency first aid provided by medical staff – including Samaritan Act cover
5. Work undertaken in any healthcare facility e.g. clinic, hospital operated by the Authority. – to be referred to underwriters on a case by case basis

The key Public Liability and Med Mal exclusions (cover under the Med Mal policy can be considered subject to additional underwriting information being supplied) read as.

- a) Any Clinical Research or Clinical Trials undertaken by the Insured
- b) Any medical treatment involving any of the following:-
- c) Maternity and Obstetric procedures or treatment
- d) Osteopathy or Chiropractor treatments
- e) Failure to diagnose meningitis
- f) Pre natal scanning and screening,
- g) Foetal monitoring
- h) midwifery
- i) Any claims for Abuse
- j) Any employed Medical Practitioner
- k) Any claims involving the following services:-
- l) Occupational health assessments
- m) Domiciliary care services
- n) Cosmetic surgery
- o) Any Healthcare Facility owned or operated by the Insured, including but not limited to any: -
- p) Hospital
- q) Clinic including GP, Dentist, Urgent Care clinics
- r) High Dependency Unit
- s) Walk in Treatment Centre
- t) Drug and Alcohol Rehabilitation Centres
- u) Fertility Clinic, Termination of Pregnancy Clinic,
- v) Bloodbanks
- w) Mental Health care homes
- x) Nursing and Residential care home
- y) Ambulance services including non emergency patient transfer

As stated the cover can be brought back into the policy if the risk is notified to and agreed by the Insurer. **Underwriting Information Required:**

- Occasionally for a specific risk insurers may require additional information.