

MINISTERIAL ORDER 90

ANAPHYLAXIS MANAGEMENT IN SCHOOLS

QUESTIONS & ANSWERS

As of 14 July 2008 the Children's Services and Education Legislation Amendment (Anaphylaxis Management) Act 2008 will come into force. This legislation has been enacted by the Government in order to ensure that there are minimum safety standards in schools and children's services for children who have been diagnosed at risk of anaphylaxis (severe, life-threatening allergies).

Key points:

- As of 14 July 2008 (the beginning of term 3, 2008), all government and non-government schools with a student enrolled who has been diagnosed as being at risk of anaphylaxis must have an anaphylaxis management policy in place.
- The anaphylaxis management policy must include matters set out in Ministerial Order 90 – Anaphylaxis Management in Schools in order to meet the minimum standards for school registration.
- Ministerial Order 90 builds on and is consistent with the Department of Education and Early Childhood Development's Anaphylaxis Guidelines for Victorian Government Schools, which have been in place since early 2007. Victorian schools are well prepared to appropriately support students who have been diagnosed at risk of anaphylaxis
- Schools that have a student enrolled who has been diagnosed as being at risk of anaphylaxis must review their current anaphylaxis management policies and procedures to ensure they are consistent with the Ministerial Order.
- A sample anaphylaxis management policy has been included in this information pack and can be downloaded from <http://www.education.vic.gov.au/healthwellbeing/health/anaphylaxis.htm>

Schools should ensure they are familiar with the Anaphylaxis Guidelines for Victorian Government Schools, which provide a range of detailed policy advice and strategies to ensure a safe and supportive environment in which students at risk of anaphylaxis can participate equally in all aspects of their schooling.

Links:

Children's Services and Education Legislation (Anaphylaxis Management) Act 2008 will come into effect from the beginning of term 3, 2008 (14 July 2008). A copy of the Bill can be downloaded from: www.legislation.vic.gov.au/ (go to: Parliamentary Documents – Bills).

Anaphylaxis Guidelines for Victorian Government Schools - www.eduweb.vic.gov.au/edulibrary/public/stuman/wellbeing/Anaphylaxis_guidelines-v1.01b.pdf

Education and Training Reform Act 2005 - www.austlii.edu.au/au/legis/vic/consol_act/eatra2006273/

1. Which schools will the Ministerial Order apply to?

The Ministerial Order will apply to all government or non-government schools with a student enrolled who has been diagnosed by a medical practitioner as being at risk of anaphylaxis.

2. When does the Ministerial Order come into force?

14 July 2008, the first day of term 3, 2008.

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3. What will schools need to have in place by then to ensure that they are complying with the Ministerial Order?

Schools that have a student enrolled who has been diagnosed as being at risk of anaphylaxis must review their current anaphylaxis management policies and procedures to ensure they are consistent with the Ministerial Order.

The key matters that the school's anaphylaxis management policy must contain are provisions for:

- individual anaphylaxis management plans for each student at risk of anaphylaxis in accordance with clause 7.
- a communication plan to provide information to staff, students and parents about anaphylaxis and the school's anaphylaxis management policy in accordance with clause 8.
- procedures for staff training and emergency response in accordance with clause 9.

Schools that have been complying with the Anaphylaxis Guidelines will be in compliance with the Ministerial Order. However all schools must review their policies prior to the legislation coming into effect at the beginning of term 3 to ensure they are consistent with the Ministerial Order.

4. How can schools ensure that they are complying with the Ministerial Order?

The following resources have been included in this information pack in order to assist schools to comply with the new legislation:

- a sample anaphylaxis management policy,
- a risk assessment tool to assist principals determine risk minimisation strategies, including how to identify staff who must have up to date training in anaphylaxis management.
- a DVD that can be used to update staff on anaphylaxis and how to use an EpiPen® in an emergency.

Also enclosed is a fact sheet for parents that can be used by schools to provide information to the school community about the new legislation.

It is strongly recommended that schools re-read the Anaphylaxis Guidelines for Victorian Government Schools, which were provided to all government and non-government schools in 2007 and can be downloaded from: www.eduweb.vic.gov.au/edulibrary/public/stuman/wellbeing/Anaphylaxis_guidelines-v1.01b.pdf

The Guidelines provide extensive advice on the management, prevention and response to anaphylaxis, including:

- Facts about anaphylaxis
- Roles and responsibilities of principals, school staff, and parents
- Individual management plans, including a template
- Storage, accessibility and use of the EpiPen®
- Advice about undertaking a risk assessment of the school when considering appropriate prevention strategies
- A range of prevention strategies in various settings (classrooms, canteens, yard, special events, field trips, excursions, camps and remote settings)
- Training and responding to an emergency

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- Communicating with staff, students and parents/ carers
 - Case studies
 - Sample individual anaphylaxis management plans and emergency action plans (ASCIA Action Plans)
5. Which staff will be required by the Ministerial Order to be trained?
- Teachers and other school staff who conduct classes which students at risk of anaphylaxis attend, or give instruction to students at risk of anaphylaxis must have up to date training in an anaphylaxis management training course.
 - At other times while the student is under the care or supervision of the school, including excursions, yard duty, field trips, camps and special event days the principal must ensure that there is a sufficient number of staff present who have up to date training in an anaphylaxis management training course.
 - In many schools this will mean that the majority or all staff will need to be trained. The principal is responsible for identifying the school staff who are to be trained, based on an assessment of the risk of an anaphylactic reaction occurring while the student is under the care or supervision of the school. A risk assessment tool has been included in this pack to assist principals in determining which staff must be trained.
6. Where can schools go to access training?
- Training in the following courses will meet the requirements of Ministerial Order 90
- 21695 VIC Course in the Administration of Adrenaline using a Controlled Dose Adrenaline Injecting Device for Anaphylaxis
 - 21827 VIC Course in Anaphylaxis Awareness
 - Anaphylaxis Prevention and Management Training Course delivered by the Royal Children's Hospital Department of Allergy and Immunology
7. How will compliance with the Ministerial Order be monitored and enforced?
- Principals have the primary responsibility for ensuring that the school has in place appropriate policies and procedures that meet the requirements of the legislation upon enrolment of a child who has been diagnosed with anaphylaxis.
 - Should a parent have a concern about compliance with the Ministerial Order, they should raise this in the first instance with the principal. If a concern or complaint cannot be resolved, principals should inform the parent of the school's complaint procedures. In government schools, for instances, parents should be referred to the Parents Complaint Process brochure which is available in community languages from the Department's website: <http://www.education.vic.gov.au/about/contact/parentcomplaint.htm>
 - The failure to have an anaphylaxis management policy that contains the matters specified in Ministerial Order 90 can result in a review and evaluation by the Victorian Registration and Qualifications Authority. The VRQA has power in extreme cases to suspend or cancel a school's registration.
 - Government school principals are also required to make regular self-assessments of their compliance with the legislation through the School Compliance Checklist.