

POLICY ON THE ADMINISTRATION OF PRESCRIBED MEDICATION BY SCHOOL STAFF IN NON-EMERGENCY SITUATIONS

Preamble

(Note: This policy does not refer to emergency situations)

Under the Crimes Act 1961 section 151, everyone has a duty to provide the necessities of life, which could include first aid, until medical professional arrive or until parents or guardians are contacted.

The following information is of a general nature and is not a substitute for boards of trustees taking independent legal, medical or other professional advice.

Schools have asked the Ministry for guidance about this matter. As an integral part of their pastoral care duties, some school staff members have traditionally accepted nursing/parenting roles such as administering antibiotics or providing medication for headaches. Recently there has been a significant increase in the number of requests from parents or guardians for staff in schools to routinely administer a range of ongoing prescribed medication. Examples of medication now commonly administered during school hours includes medication for asthmatics, diabetics and children with Attention Deficit Disorder (ADD) or Attention Deficit Hyperactivity Disorder (ADHD).

Boards Need to Note

1. **Students have a right** to receive prescribed medication in school hours if this enables them to access education.
2. **Staff members have a right** to choose whether or not to take the responsibility for administering prescribed medication to a student. An exception to this is when the role is specified in an employee's job description.
3. **Boards have a duty** to maintain a safe physical and emotional environment.

Boards Will Need To Comply With

Education Act 1989 that gives students the right to receive education until the end of the year of their 19th birthday or, for students with section 9 agreements to receive special education, until the end of the year in which they turn 21.

Human Rights Act 1993 that protects a student's right to access education.

The Health and Disability Commissioner advises that the **Code of Health and Disability Services Consumers' Rights** may also apply to teachers who administer medication. However, whether anyone is in breach of the Code will depend on if they acted reasonably in the circumstances. For example, it would be considered relevant that the medication was administered at the parent's request and under a doctor's instructions. It is important that a staff member does not do anything required to be done by a medical professional. Staff who exercise care and act in accordance with a parent's or doctor's instructions have little to fear from the Code.

The Code of Health and Disability Services Consumers Rights is available from:

Health and Disability Commission, PO Box 1791, AUCKLAND
Auckland 06 373 3556
Wellington 04 495 6669
Other Areas 0800 11 22 33 (TTY)
WEBSITE www.knowledge-basket.co.nz/hdc

POLICY

Policy Statement

Except for emergency situations, staff are not required to administer medication. However, subject to a staff member being prepared to accept responsibility, then the following will apply:

Guidelines

- a) **All parents or caregiver and staff will be made aware of the board's policy concerning the administration of medication.**
- b) **Parents or guardians will be required to provide the Principal with a medical statement that it is acceptable for a non-medical staff member to hold responsibility for administering the medication.**
- c) **This statement needs to be sighted before a staff member agrees to take responsibility for administering prescribed medication. Prescribed medication should only be administered once the agreement is signed and only by those named in the agreement. It may be appropriate for more than one staff member to sign the agreement and for alternative arrangements to be noted in case the person usually responsible for the administering the medication is absent. The agreement should name the medication and the directions for administering it. Each time the medication is administered a register should be signed. It should be the parent or guardian's responsibility to inform the school of any change in the student's medical circumstance.**
- d) **Information/training will be made available to staff members who elect to administer medication to students.**
By law, the medical practitioner's directions must be included on the label of all dispensed medication. It is essential that the person administering the medication follow these directions.
- e) **All reasonable care should be taken with security where medications and drugs are held or administered on school premises.**
Storage must be safe and secure at all times. When medication is removed from its place of safe-keeping administrative processes should be clear. Boards are strongly advised to restrict the amount of medication held on the school premises at any time.