



Rhagoriaeth i bawb - Excellence for all

Arolygiaeth Ei Mawrhydi dros Addysg
a Hyfforddiant yng Nghymru

Her Majesty's Inspectorate
for Education and Training in Wales

Supplementary guidance: healthy living

September 2013



The purpose of Estyn is to inspect quality and standards in education and training in Wales. Estyn is responsible for inspecting:

- ▲ nursery schools and settings that are maintained by, or receive funding from, local authorities;
- ▲ primary schools;
- ▲ secondary schools;
- ▲ special schools;
- ▲ pupil referral units;
- ▲ independent schools;
- ▲ further education;
- ▲ adult community learning;
- ▲ youth and community work training;
- ▲ local authority education services for children and young people;
- ▲ teacher education and training;
- ▲ work-based learning;
- ▲ careers companies;
- ▲ offender learning.

Estyn also:

- ▲ provides advice on quality and standards in education and training in Wales to the Welsh Government and others; and
- ▲ makes public good practice based on inspection evidence.

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What is the purpose?

To provide guidance to inspectors for evaluating healthy living outcomes and provision particularly when it is a line of inquiry. This provides further guidance for inspectors to use alongside the sector guidance for inspection. This replaces the supplementary guidance on inspecting health living published in 2010.

For whom is it intended?

For all inspectors of maintained primary, secondary and special schools and pupil referral units

From when should the guidance be used?

September 2013

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1 Introduction

The 2010 common inspection framework gives a prominent place to the inspection of learner wellbeing. Healthy living contributes to wellbeing. Healthy living includes:

- healthy eating and drinking;
- physical exercise;
- good mental and emotional well-being;
- responsible sexual behaviour;
- responsible attitudes and behaviours in relation to substance use and misuse;
- safety;
- hygiene; and
- environment-related issues, including sun protection.

The promotion of healthy living is a key objective of the Welsh Government. A number of initiatives seek to encourage healthy living and the importance of physical exercise. Involvement in the Welsh Network of Healthy School Schemes will support schools in all of these areas.

This supplementary guidance looks at arrangements for inspecting and reporting on healthy living, including healthy eating and drinking following the implementation of the Welsh Government's regulations on healthy eating and drinking in schools.

Legislation for healthy eating and drinking came into force for maintained primary, maintained secondary and special schools and pupil referral units in 2013. This supplementary guidance also advises on the changes made to the quality indicator 2.3 of the inspection framework in 2013 to reflect Estyn's responsibility to report on healthy eating and drinking.

Healthy eating and drinking

'The Healthy Eating in Schools (Wales) Measure 2009' requires all local authorities and maintained schools in Wales to promote healthy eating and drinking. The Measure requires governors to take action to promote healthy eating and drinking, to include information on how this is being done in their annual report; and to have regard to any guidance produced by the Welsh Government.

The Measure requires Estyn to consider the actions taken by schools to promote healthy eating and drinking.

The Measure came into force for maintained primary schools, maintained secondary and special schools and pupil referral units in September 2013.

Detailed guidance on the changes made to the quality indicator 2.3 of the inspection framework in 2013 to reflect Estyn's responsibility to report on healthy eating and drinking are in section 3 of this document.

Physical exercise

The PE and School Sport (PESS) initiative, Dragon Sport, 5x60 schemes in secondary schools and many Sports Council-led developments have increased the opportunities for young people to engage in physical activity. The improved provision of opportunities for physical activity and raised levels of fitness should be seen in the context of the Welsh Government's strategy 'Creating an Active Wales'.

Hygiene

The prescribed standards for schools about toilets are currently contained in the Education (School Premises) Regulations 1999.

In maintained schools, special schools and pupil referral units, it is the responsibility of local authorities to ensure that school premises conform to the standards in the regulations. In practice, the management of the health and safety of staff, volunteers, visitors and learners is delegated to the headteacher.

Governing bodies are responsible for monitoring the schools' arrangements for health and safety management. This responsibility includes providing a brief statement in the governors' annual report on the provision of toilet facilities for learners registered at the school and arrangements in place to ensure their cleanliness.

Estyn has no direct duty to inspect hygiene facilities. However, the quality of school toilets contributes to pupil wellbeing and the learning environment. While we may not include mention of the toilets in the main evaluation, we should include any deficiencies in the hygiene facilities in the supporting evidence section of 2.4 Learning Environment and draw the school's attention to any health and safety concerns we have. The minimum standards are set out in Annex 3.

Sun protection

There are currently no regulations about sun protection in schools. However, if a school does have a policy and practice for sun protection this would be good practice.

The Welsh Government encourages schools to use the guidance provided by Cancer Research UK¹ on sun protection.

Understanding how to be safe in the sun is clearly part of healthy living and health and safety. Therefore, we should expect to see schools, particularly nursery and primary schools, making sure that pupils are protected from the sun and taught why this is important.

If you are inspecting a school during a period of hot weather, you should consider asking some questions about the school's arrangements to protect the pupils.

If a school has a policy, consistently applied practice and these are well understood make a note in the supporting evidence section for 1.2 and/or 2.3.

¹ See Annex 4

2 Evaluating healthy living

This guidance provides questions for inspectors to consider when evaluating the healthy living. The questions relate to the three key questions of the common inspection framework.

Key Question 1: How good are outcomes?

1.2 Wellbeing

- Do learners have a good understanding of the importance of healthy living and fitness?
- Do learners take part in the opportunities provided to develop healthy living and fitness?
- Do learners show enjoyment in these activities?
- To what extent do learners contribute to the school's work on healthy living?

Key Question 2: How good is provision?

2.1 Learning experiences

- Are pupils given the opportunity to develop their awareness and understanding of healthy living through the curriculum and through extra-curricular work and projects?
- Do pupils have opportunities to develop and extend their awareness and understanding of healthy living in subjects other than PE, PSE and design technology?

2.2 Teaching

Do teachers exploit opportunities to develop pupils' understanding of healthy living?

2.3 Care, support and guidance

- Is the school effectively promoting healthy life styles?
- Is the school engaged in initiatives that promote healthy living?
- Has the school gained any awards for its work in promoting healthy living?
- Does the school ensure that any out-of-school-hours provision supports its work on healthy living?
- Does the school have an effective and realistic policy related to healthy living?

2.4 Learning environment

- Does the school environment, including dining areas, sports facilities and public areas promote healthy living?
- Does the school have good facilities for healthy eating and physical activity?

Key Question 3: How good are leadership and management?

3.1 Leadership

- How well does the school communicate its promotion of healthy living to the pupils, parents and the wider community?

3.2 Improving quality

- How does the school measure the impact of its work on healthy living on pupil outcomes, including attitudes and behaviours?

3.3 Partnership working

- How well does the school work in partnership with others to develop learners healthy living?

3.4 Resource management

- Is the staff trained well enough to promote healthy living?
- Does the school staff have a good understanding of healthy living?

Sources of evidence

The learner and parent questionnaires, discussions with learners and staff, and general observation around the school, can provide key sources of evidence for evaluating healthy living. The learner questionnaire, for example, asks two questions directly related to healthy living:

- the school teaches me how to keep healthy; and
- there are plenty of opportunities at school for me to get regular exercise.

The responses to the questionnaires and discussions with learners are likely to provide useful evidence for Quality Indicator 1.2 on learners' wellbeing and for the school's provision for wellbeing in Quality Indicator 2.3 on care, support and guidance. In addition, the inspection will contain a brief commentary on the outcomes from learners' questionnaires.

Possible sources of evidence include:

- the school's SER;
- scrutiny of policies;
- reflections on behaviour from observing lessons, walking in corridors and public areas;
- pupil and parent questionnaires; and
- interviews with pupils.

3 Inspecting and reporting on healthy eating and drinking

Inspecting the arrangements

Inspectors will need to:

- check that the governors include their arrangements for promoting healthy eating and drinking (and how they meet the duties in Sections 1,4,6 and 7) in their annual report to parents;
- ask pupils about whether the school encourages them to eat healthily; and
- note any obvious breaches of regulation, such as vending machines that have fizzy drinks, chocolate bars and crisps.

Annex 1 gives details of the regulations. They are included in this supplementary guidance to help you when you check the arrangements reported by the governing body. They will also provide assistance if you think you have identified an obvious breach. We do not need to check that all these regulations are adhered to because that is the responsibility of the governing body.

Reporting on the arrangements

If arrangements as described in the bullet points above are in place then include in the main evaluation for 2.3 this statement:

“The school has the appropriate arrangements to promote healthy eating and drinking.”

If the school does not demonstrate compliance then the following statement should be used:

“The school does not make appropriate arrangements to promote healthy eating and drinking.”

If there are shortcomings then these need to be identified in the main evaluation and detailed in the supporting evidence for 2.3.1. Shortcomings may affect the overall judgment for 2.3 Care, support and guidance. As with safeguarding, you will need to use professional judgment in deciding if these are significant shortcomings. It may also affect the judgement for leadership as the governors have a responsibility to make arrangements to promote healthy eating and drinking.

Annex 1: Healthy Eating and Drinking – the Legislation

The duties included in the Healthy Eating and Drinking in Schools (Wales) Measure 2009 came into force in September 2013, for maintained primary and secondary schools, special schools and pupil referral units.

The provisions of the Measure

- **Section 1.** Duty on a local authority and governing bodies of maintained schools to take action to promote healthy eating and drinking by registered pupils of maintained schools in its area.
- **Section 2.** Duty on the governing bodies of maintained schools in Wales to include in the governors' reports information on the action taken (relating to Sections 1, 4, 6 and 7) to promote healthy eating and drinking by pupils of the school.
- **Section 3.** The Chief Inspector has the duty to keep the Welsh Government informed about the actions taken at maintained schools to promote healthy eating and drinking.
- **Section 4.** Duty on a local authority and governing bodies of maintained schools to ensure that the nutritional standards and requirements for food and drink provided in schools (including nursery schools) maintained by local authorities (LAs) in Wales are met.
- **Section 5.** Duty on a local authority to ensure that drinking water is available, free of charge, on the premises of any maintained school and to have regard to any guidance issued by the Welsh Ministers.
- **Section 6.** Duty on a local authority, or the governing body of a maintained school which provides school meals or milk, to encourage the take up of school meals or milk, and also to take reasonable steps to ensure that every pupil who is entitled to receive free school lunches and free school milk does receive them.
- **Section 7.** Duty on a local authority or governing body to take reasonable steps to ensure that a pupil cannot be identified by any person as a pupil who receives a free school lunch or free school milk, other than by an authorised person. This Section also places a duty on a local authority or governing body to take reasonable steps to ensure that teachers, any person employed at the school, any person working at the school on an unpaid basis, or any other person employed by the school or governing body, do not make disclosures about the fact that a pupil receives free lunches or free milk.

Important points to remember

Estyn **will** report on the arrangements made to promote healthy eating and drinking.

Estyn **will not** be inspecting the quality of food provision.

Annex 2: Key provisions

The regulations apply to local authorities and governing bodies that provide food and drink to pupils of maintained schools (whether the pupils are on school premises or not) and to other persons on school premises.

The regulations also apply where food and drink is provided to nursery pupils and to other persons (staff and visitors) who are on the premises of a maintained nursery school.

The Regulations **do not** apply to food provided:

- by a person, for that person's own consumption on school premises (eg brought in snacks, packed lunch);
- as part of a medically prescribed diet;
- at any school social event or school recreational event to mark any religious or cultural occasion;
- at fund-raising events;
- as rewards for achievement, good behaviour or effort; and
- for use in teaching food preparation and cookery skills provided that any food so prepared is not provided to pupils as part of a school breakfast or school lunch.

Breakfast requirements

Breakfast provided to pupils of maintained schools, or to other persons on the premises of a maintained school, should contain the following foods only:

- milk-based drinks or yoghurts;
- cereals – not sugar/chocolate/cocoa powder coated or flavoured;
- fruit; and
- breads.

Lunch requirements in nursery schools

School lunches provided to pupils in nursery schools, or to other persons on nursery school premises, should contain each of the following foods:

- fruit and vegetables;
- meat, fish and other non-dairy sources of protein;
- starchy foods; and
- dairy foods and milk.

Where a nursery school forms part of a primary school, the school meal provider may choose to give nursery pupils the same lunch as the primary pupils.

Lunch requirements in primary and secondary schools

The following foods are to be provided:

- vegetables;
- fruit;
- fish and oily fish; and
- meat.

The following foods can be provided but in a limited way²:

- potatoes and potato products cooked in fats and oils;
- deep-fried and flash-fried products;
- meat products (such as burgers and sausages); and
- condiments.

The regulations do not permit confectionery, or savoury snacks, or the addition of salt to food after it has been cooked. Cakes and biscuits will only be permitted if they do not contain confectionery (such as sprinkles).

Requirements for drinks provided in nursery, primary and secondary schools

Drinks that have no clear nutritional value and which cause tooth decay are not permitted. Drinks such as squash and lemonade must not be provided.

Drinks provided in maintained nursery schools and primary schools will be restricted to:

- water;
- milk;
- plain soya, plain rice or plain oat drinks;
- fruit juice, vegetable juice and blended drinks (made with a blend or
- puree of fruit, vegetables, fruit juice or vegetable juice) to be provided at meal times only; and
- fruit juice or vegetable juice combined with water, to be provided at meal times only.

Drinks provided in secondary schools will be restricted to water or other drinks which have a clear nutritional benefit. A wider range of drinks will be on offer than in primary schools, such as milk, yoghurt or dairy-equivalent drinks and fruit or vegetable juices.

Provision of food that is not part of breakfast or lunch

The requirement is that food must have a clear nutritional benefit, so that it provides essential nutrients rather than empty calories. Therefore:

- fruit and vegetables must be available in any place on the school premises where food is provided;
- confectionery, savoury snacks, and salt will not be permitted;
- cakes and biscuits will not be permitted in nursery schools or primary schools; but
- they are permitted in secondary schools, but they have to be included in the nutritional analysis of the school lunch.

The following foods are not permitted in nursery schools:

- potatoes and potato products cooked in fats and oils;
- deep-fried and flash-fried products;

² This refers to the details given in the Appetite for Life guidelines for nutritional standards. Weekly menus have to be constructed to meet these. Governors need to receive details about this and inspectors need only check that this is happening.

- meat products; and
- condiments.

These foods can be provided in primary and secondary schools outside the lunchtime period, for example in secondary schools which provide lunch items at mid-morning break.

Annex 3: Mandatory minimum standards for hygiene facilities

The regulations set out the number of toilets and washbasins that should be provided according to the number of pupils in all existing and new maintained schools.

Toilets

- Pupils over 5 years of age: 1 toilet for every 20 pupils.
- Pupils under the age of 5: 1 toilet for every 10 pupils.
- In special schools: 1 toilet for every 10 pupils, regardless of age.

Washbasins

Where the majority of pupils are under 11, there should be as many washbasins as toilets.

Where the majority are over 11:

- Washrooms with 1 toilet must contain at least 1 washbasin.
- Washrooms with 2 toilets must contain at least 2 washbasins.
- Washrooms with 3 or more toilets must have at least two thirds the number of washbasins as there are toilets.

In addition:

- toilet areas for male and female learners over the age of eight should be separate;
- girls' toilets should not have urinals; and
- staff toilets, other than those designed for disabled access, must be separate from learners' toilets.

Annex 4: Regulations and additional guidance documents

[School toilets: Good practice guidance for schools in Wales Guidance document No: 053/2011.](#)

[Cancer Research UK's Sun Protection Policy Guidelines for Primary and Secondary Schools in Wales](#)