

Briefing for the Citizen Participation and Public Petitions Committee on petition PE2203: Make schools in Scotland safe for pupils with allergies

Brief overview of issues raised by the petition

Petition [PE2203: Make schools in Scotland safe for pupils with allergies](#) calls on the Scottish Parliament to urge the Scottish Government to close the allergy safeguard gap by introducing legislation to mandate and fund all schools to:

- hold [an] in date Adrenaline Auto-Injector
- have an allergy policy
- provide allergy training for all school staff on emergency response, preventing reactions, and allergy awareness.

Background

Allergies are thought to affect [approximately 30% of children in Scotland](#). [Common allergens include:](#)

- grass and tree pollen – an allergy to these is known as hay fever (allergic rhinitis)
- dust mites
- animal dander (tiny flakes of skin or hair)
- food – particularly nuts, fruit, shellfish, eggs and cow's milk
- insect bites and stings
- medication – including ibuprofen, aspirin, and certain antibiotics
- latex
- mould
- household chemicals.

Allergic reactions can range from mild rashes and sneezing attacks, to distressing widespread hives and skin swelling, breathing difficulties and in the most severe cases life threatening [anaphylaxis](#) (also known as anaphylactic shock).

Anaphylaxis

Signs of anaphylaxis include:

- itchy skin or a raised, red skin rash
- swollen eyes, lips, hands and feet
- feeling lightheaded or faint
- swelling of the mouth, throat or tongue, which can cause breathing and swallowing difficulties
- wheezing
- abdominal pain, nausea and vomiting
- collapse and unconsciousness.

The most [common triggers of anaphylaxis](#) are insect stings, foods (particularly peanuts), latex and medicines.

[Anaphylaxis](#) should always be treated as a medical emergency. If available, an injection of adrenaline should be given as soon as possible. Some people, with a previous history of anaphylaxis, carry an [auto-injector of adrenaline](#). These are sometimes also known by the brand names including: Emerade, EpiPen, and Jext.

Duty of care

There are no specific duties on schools on supporting allergies. There is a range of wider duties on schools that will be applicable as well as guidance that is relevant in managing allergies in schools.

There are general duties for schools under the [Health and Safety at Work etc. Act 1974](#) and there are risk assessment requirements under the [Management of Health and Safety at Work Regulations 1999](#). Schools must comply with health and safety law and put in place proportionate measures. In addition, schools have a general duty to ensure the safety of pupils under Common Law and [The Schools \(Safety and Supervision of Pupils\) \(Scotland\) Regulations 1990](#) to take reasonable steps to ensure the safety of its pupils.

Scottish Government policy

In December 2017, the Scottish Government published [Supporting children and young people with healthcare needs in schools: guidance](#). This guidance is non-statutory and is intended to “inform local policy development between NHS boards, education authorities, schools and other partners in supporting children and young people with healthcare needs in schools.”

The guidance includes several references to managing allergies and anaphylaxis. Allergies are mentioned in the first paragraph of the introduction. Other general advice in the guidance includes general awareness raising, training on common conditions (including allergic reactions/anaphylaxis) and being aware of allergies if arranging social occasions.

The use of Adrenaline auto-injectors (AAIs) in schools

Annexe B of the guidance covers condition-specific guidance, including the use of adrenaline auto-injectors (AAIs) in schools. It notes that [schools may obtain AAIs without a prescription for emergency use](#). The AAIs can be used if the pupil's own prescribed AAIs are not immediately available (for example, because they are broken, out-of-date, have misfired or been wrongly administered). However, schools are not required to hold spare AAIs for use in emergency situations.

Consent from parents and medical authorisation is required for use of AAIs and schools are advised to maintain a register of pupils with allergies and consent status.

The guidance also includes information on purchasing, storing and managing stocks of AAIs. It states:

“A school's allergy/anaphylaxis policy should include staff responsibilities for maintaining the spare anaphylaxis kit. It is recommended that at least two named volunteers amongst school staff should have responsibility for ensuring that:

- on a monthly basis, that the AAIs are present and in date;
- that replacement AAIs are obtained when expiry dates approach (this can be facilitated by signing up to the AAI expiry alerts through the relevant AAI manufacturer).”

In relation to [funding the provision of spare AAIs in schools](#), the Cabinet Secretary for Education and Skills said:

“The Scottish Government provides funding to local authorities through a block grant. It is the responsibility of individual local authorities to manage their own budgets and to allocate the total financial resources available to them, including on providing AAI devices to schools, on the basis of local needs and priorities.”

Local policy

[The supporting children and young people with healthcare needs in schools: guidance](#) states that education authorities and NHS Boards may wish to consider whether to implement their own local policy in relation to the use of emergency adrenaline auto-injectors in schools. It goes on to outline what the policy may cover:

- a statement as to whether the school or NHS Board actively encourages the keeping of spare adrenaline auto-injectors for emergency use in schools
- what the arrangements are for purchase, storage, care of, use and disposal of the devices
- the number of spare AAI devices that a school should hold (this may vary depending on school size and the number of sites it has)
- processes for seeking written consent for using the emergency AAI device
- how schools should record the use of emergency AAI devices
- arrangements on how schools maintain an up-to-date register of children and young people who suffer from allergic reactions and have been prescribed with their own AAI device – and for whom consent has been granted for use of the emergency AAI device
- process for informing parents or other emergency contacts in the event the emergency AAI has been required
- training that staff should expect in regard to using emergency AAI devices.

Staff training

In relation to the training and development of staff to support healthcare needs in schools [the guidance](#) states:

“NHS boards and education authorities should work collaboratively to ensure that all staff receive an appropriate level of training to understand and respond to both the educational and health needs of children and young people for whom they are responsible. Training requirements should be planned for and driven by the individual needs of children and young people in the schools in the area”

In relation to training on anaphylaxis it says that “schools must arrange specialist anaphylaxis training for staff where a pupil in the school has been diagnosed as being at risk of anaphylaxis.”

In response to [parliamentary question S6W-41028](#), the Cabinet Secretary for Education and Skills said:

“Schools must arrange specialist anaphylaxis training for staff where a pupil within the school has been diagnosed as being at risk of anaphylaxis. Where this happens, schools should ensure there are a reasonable number of designated members of staff available to provide sufficient coverage, including times when staff are on leave. Any member of a school staff can volunteer to take on responsibilities for

administering adrenaline to children or young people, although they cannot be compelled to do so.”

Lizzy Burgess and Ned Sharratt, Senior Researchers, SPICe

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The purpose of this briefing is to provide a brief overview of issues raised by the petition. SPICe research specialists are not able to discuss the content of petition briefings with petitioners or other members of the public. However, if you have any comments on any petition briefing you can email us at spice@parliament.scot

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