

# Consultation on draft first aid guidance for employers and first aid training providers

## Evaluation of responses

March 2008

### Introduction

1. This paper will be of particular interest to employers and first aid training providers. It summarises the outcome of a recent consultation exercise on draft guidance produced to support the introduction of a new training regime for first aiders in the workplace. The consultation closed on 8 February 2008. HSE is grateful to all those consultees that submitted their comments for consideration.

### Background

2. In 2003-2004, the Health and Safety Executive (HSE) conducted a review of the Health and Safety (First-Aid) Regulations 1981. This was aimed at evaluating whether the Regulations were still effective in meeting the needs of modern businesses. To inform the review, HSE commissioned research and consulted extensively with stakeholders – employers, employees, first aiders and first aid training providers. Relevant documents produced as part of this programme of work are available on HSE's website at:<http://www.hse.gov.uk/firstaid/program.htm>. Following analysis of the review's findings, the Health and Safety Commission agreed that the Regulations and accompanying Approved Code of Practice should not be changed but that within this framework there should be a new training regime for first aiders in the workplace.

3. The main drivers for this change were to help employer duty holders access competent first aid, provide a more proportionate response to their first aid needs and to minimise burdens on business. HSE published a Position Statement in 2005 containing a detailed rationale to support the introduction of a new training regime and outlining the structure and content of new first aid courses (<http://www.hse.gov.uk/firstaid/review/positionstatement.pdf>). This was subsequently updated in June 2006 (<http://www.hse.gov.uk/firstaid/review/june06.htm>).

4. In finalising the structure and content of the new first aid training courses, HSE sought the views of stakeholders during two separate consultation exercises. Since then HSE has developed proposals for the approval and monitoring of training providers wishing to offer these courses to ensure training standards are appropriate (<http://www.hse.gov.uk/firstaid/review/nov07.htm> and <http://www.hse.gov.uk/firstaid/review/dec07.htm>).

5. The proposals for approval and monitoring were incorporated into draft guidance for employers (a revision of HSE's guidance in: *First aid at work: The Health and Safety (First-Aid) Regulations 1981 - Approved Code of Practice and Guidance (L74)*) and for training providers (a revision of HSE's guidance: *How to gain and maintain approval for first aid at work training under the Health and Safety (First-Aid) Regulations 1981* (<http://www.hse.gov.uk/firstaid/approval.pdf>)). HSE consulted on these documents to obtain the views of organisations representing stakeholders with an interest in first aid provision for the workplace.

## Key findings

6. HSE invited 30 organisations to comment on the draft guidance (see Appendix 1) and received specific feedback from 12 of them. Through these consultees, comments were also submitted by an additional nine organisations, giving a total of 21 responses which contributed to the evaluation. While consultees were invited to comment on several specific issues, some respondents focused on other aspects of the draft documents. Therefore, the number of comments received on the specific issues varied.

7. Consultees supported the following:

- The first aid needs assessment and flow chart (to help employers decide on the category and number of first aid personnel to provide) were well received as comprehensive, straightforward and of future benefit to employers in establishing their first aid provision.
- Paramedics do not need a first aid at work (FAW) certificate to administer first aid in the workplace.
- Paramedics do not need an FAW certificate to be trainers/ assessors providing they can demonstrate their competence to train/ assess.
- In-house occupational health professionals can run annual refresher training providing they are competent in both first aid and training.
- A single trainer teaching no more than 12 students (responses ranged from 6-15).
- One assessor conducting assessments on an FAW course with no more than six students.

8. The most detailed comments received tended to focus on three main areas which are described in paragraphs 9-13.

## QCA/ SQA

9. The main issue was the proposal for recognised Awarding Bodies of the Qualifications and Curriculum Authority (QCA)/ Scottish Qualifications Authority (SQA) to offer a one day emergency first aid at work (EFAW) qualification. First aid training provider groups in particular raised a number of valid questions related to the proposal. They generally focused on the following:

- Potential for dual standards.
- Relatively high costs of running courses offered by Awarding Bodies.
- The large administrative burden involved in becoming an Approved Centre.
- The need for Awarding Bodies to recruit suitably qualified assessors with appropriate knowledge and experience of first aid.
- The possibility that funding will be given to Colleges providing EFAW training.

10. Previous consultations have shown that first aid training providers support the approval of first aid training organisations to run EFAW courses in the future. Given that HSE's approval and monitoring arrangements centre on FAW, accreditation of EFAW by the QCA/ SQA would accommodate those providers wishing to run EFAW courses only. HSE has discussed the issue of costs with both the QCA and the SQA. All organisations understand the importance of a proportionate costing structure. Overall, it is recognised that the new arrangements have to be affordable to employer duty holders and produce significant benefits.

## Flow chart for provision of first aid personnel

11. Some consultees commented on detailed aspects of the flow chart designed to help employers determine the category and number of first aid personnel to provide. They felt it did not do enough to encourage provision of first aiders in low hazard organisations with fewer than 50 employees. In addition, it was suggested that any first aiders in organisations with more than 50 employees, irrespective of hazards, should have full FAW certificates.

12. The flow chart only gives a general guide, based on degree of hazard, number of employees and other relevant factors. HSE wants to help employers provide a more proportionate response to their first aid needs while minimising burdens on business. In the light of consultees' comments, HSE will review the detail of the flow chart.

## Minimum number of courses

13. Several consultees expressed the view that requiring training providers to run *at least six FAW courses a year* to maintain their HSE approval was restrictive, especially where the provider was also running other first aid training courses. This requirement is designed to help ensure providers maintain their competence to run FAW training given they are monitored every five years. HSE will review its position on this issue. One option may be to increase the frequency of monitoring visits where a provider is running a small number of FAW courses, while recognising this might not be necessary where the provider is also running a number of EFAW courses.

## Next steps

14. Having evaluated the comments from stakeholder groups, HSE intends to continue moving towards implementation of the changes to first aid training courses and approval and monitoring arrangements. However, as a result of feedback from the consultation exercise, HSE will:

- continue to engage with the QCA and the SQA about a proportionate costing structure;
- reconsider the figures in the flow chart for employers to determine the category and number of first aid personnel to provide;
- reconsider its position on the requirement to run a minimum of at least six FAW courses a year to help maintain the competence of training providers.

15. HSE will also consider how best it can communicate with stakeholders in moving towards implementation during 2009.

## APPENDIX 1 LIST OF CONSULTEES

Association of First Aiders  
Association of Independent First Aid at Work Training Organisations  
Association of Occupational Health Nurse Practitioners  
Association of Outdoor Education Centres  
British Chambers of Commerce  
British Healthcare Trades Association  
British Paramedic Association  
Confederation of British Industry  
Consortium for Local Education Authority for the Provision of Science Services  
Department for Business, Enterprise and Regulatory Reform  
Department for Children, Schools and Families  
Department for Work and Pensions  
Department of Health  
Federation of First Aid Training Organisations  
Federation of Small Businesses  
First Aid at Work Council  
Forum of Private Business  
Health and Safety Authority  
Health and Safety Executive for Northern Ireland  
Institute for Outdoor Learning  
Institute of Directors  
International Marine Contractors Association  
Local Authorities Coordinators of Regulatory Services  
Maritime and Coastguard Agency  
Outdoor Education Advisers' Panel  
Resuscitation Council (UK)  
Scottish Government  
Society of Occupational Medicine  
Trades Union Congress  
Welsh Assembly Government