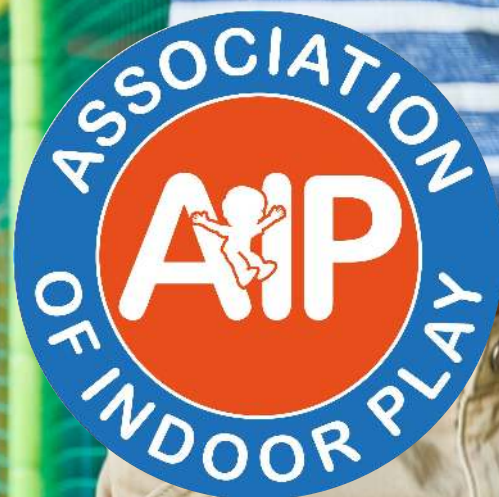


First Aid legal requirements for Indoor and Outdoor Play Centres, Children's Activity and Learning Providers.



Guide to the Legal requirements concerning first aid for Indoor Play Centres, Children's Activity and Learning Providers



It can be incredibly confusing trying to work out your legal requirements for first aid provision as a small business or centre providing activities and learning for children. The duty of care for other people's children is hugely important and first aid provision needs to be adequate and appropriate to those using the centre.

All businesses and centres including children's activity and learning providers will need to comply with HSE legal requirements as well as any additional elements by bodies such as Ofsted and any specific insurance details.

This article explains your legal duties and duty of care to those who work with you and your customers.

First Aid for Life has numerous free resources to help make your first aid provision as easy as possible and we are very happy to assist you in deciding what constitutes appropriate first aid cover for your business.

HSE legislation:

All employers, whether a sole trader or huge Public-Sector Business, have a legal duty to make arrangements, to ensure their employees receive immediate attention if they are injured or taken ill at work. This legislation is laid out in Health and Safety (First-Aid) Regulations 1981 – updated 2015

It doesn't matter whether the injury or illness is caused by the work they do, what is important is that they receive immediate attention and that an ambulance is called in serious cases. However, please remember that the ambulance will not arrive instantaneously, and it is vital to know how to give immediate and appropriate first aid and stabilise the casualty whilst waiting for the emergency services to arrive.

First aid can save lives and prevent minor injuries becoming major ones. First-aid provision in the workplace covers the arrangements that need to be made to manage injuries or illness suffered at work.

Duty of employer to make provision for first-aid

Every employer has a duty of care to provide or ensure that there are adequate and appropriate facilities and equipment to cater for his employees if they are injured or become ill at work.

An employer should make an assessment of first aid needs appropriate to the circumstances (hazards and risks) of each workplace. The first aid training should relate to this needs assessment as well as complying with the legal regulations and those of your insurance and governing bodies too.

Where an employer provides first aiders in the workplace, they should ensure they have undertaken suitable training, have an appropriate first-aid qualification and remain competent to perform their role. Typically, first-aiders will hold a valid certificate of competence in either First Aid at Work (FAW) for high risk businesses with over 50 employees, or Emergency First Aid at Work (EFAW) for smaller businesses with fewer risks or an Appointed Person Qualification – which can be an online course for businesses of less than 20 direct employees.

HSE courses enabling someone to train as a first aider, should be undertaken by a fully regulated first aid training provider. The minimum course to be EFAW first aid qualified as a first aider is a one day practical course (this can be blended with 2 hours pre-learning and 4 hours in the classroom). Suitable providers for such training are www.firstaidforlife.org.uk (the Indoor Play Association recommended supplier) or voluntary organisations such as St John Ambulance or the Red Cross.

<http://www.Onlinefirstaid.com> have specialist award-winning paediatric online first aid courses that are fully interactive, cover the full Ofsted syllabus and are suitable for Children's Activity and Learning Providers who do not need to be Ofsted registered and are less than 20 employees.

<https://onlinefirstaid.com/our-courses/paediatric-course/> - IPA and CAA members and businesses insured through Morton Michel can get our online courses half price.

The interactive training consists of videos, infographics, step by step directions and test yourself sections. You can complete this course in short bursts, stopping and starting as often as you like and retain full access to the training for a whole year. On completion you can download and print your Appointed Person level qualification which is valid for 3 years and also awards verifiable CPD.

Although the legal obligation is just for employees, there is a duty of care to your customers and so to be appropriate the First Aid training should include baby and child first aid if relevant to your customer base. Ideally it should also be tailored to your needs and the possible hazards and eventualities you have identified in your risk assessment.

RIDDOR

All employers, self-employed people and people in control of work premises have duties under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR).

They must report certain work-related injuries, cases of ill health and dangerous occurrences. HSE will pass details to the relevant enforcing authority. RIDDOR applies to all work activities but not all incidents are reportable.

It is also advised that people have an accident report book in which they record all incidents, this must be stored in line with the Data Protection Act.

RIDDOR is predominantly concerned with workplace injuries, however there is also a requirement to report injuries sustained by the general public when using your facilities.

<https://www.hse.gov.uk/pubns/indg453.pdf>

RIDDOR is the law that requires employers, and other people in control of work premises, to report and keep records of work-related accidents which cause death; work-related accidents which cause certain serious injuries (reportable injuries); diagnosed cases of certain industrial diseases; and certain 'dangerous occurrences' (incidents with the potential to cause harm).

What must be reported?

Work-related accidents: For the purposes of RIDDOR, an accident is a separate, identifiable, unintended incident that causes physical injury. This specifically includes acts of non-consensual violence to people at work.

Not all accidents need to be reported, a RIDDOR report is required only when:

- The accident is work-related and it results in an injury of a type which is reportable (as listed under 'Types of reportable injuries').

When deciding if the accident that led to the death or injury is work-related, the key issues to consider are whether the accident was related to:

- The way the work was organised, carried out or supervised.
- Any machinery, plant, substances or equipment used for work.
- The condition of the site or premises where the accident happened.

If none of these factors are relevant to the incident, it is likely that a report will not be required. See www.hse.gov.uk/riddor/do-i-need-to-report.htm for examples of incidents that do and do not have to be reported.

Types of reportable injury

Deaths - All deaths to workers and non-workers must be reported if they arise from a work-related accident, including an act of physical violence to a worker. Suicides are not reportable, as the death does not result from a work-related accident.

Specified injuries to workers

The list of 'specified injuries' in RIDDOR 2013 (regulation 4) includes:

- A fracture, other than to fingers, thumbs and toes.
- Amputation of an arm, hand, finger, thumb, leg, foot or toe.
- Permanent loss of sight or reduction of sight.
- Crush injuries leading to internal organ damage.
- Serious burns (covering more than 10% of the body, or damaging the eyes, respiratory system or other vital organs).
- Scalpings (separation of skin from the head) which require hospital treatment.
- Unconsciousness caused by head injury or asphyxia.
- Any other injury arising from working in an enclosed space, which leads to hypothermia, heat-induced illness or requires resuscitation or admittance to hospital for more than 24 hours.

Over-seven-day injuries to workers

This is where an employee, or self-employed person, is away from work or unable to perform their normal work duties for more than seven consecutive days (not counting the day of the accident).

Injuries to non-workers

Work-related accidents involving members of the public or people who are not at work must be reported if a person is injured, and is taken from the scene of the accident to hospital for treatment to that injury. There is no requirement to establish what hospital treatment was actually provided, and no need to report incidents where people are taken to hospital purely as a precaution when no injury is apparent. If the accident occurred at a hospital, the report only needs to be made if the injury is a 'specified injury' (see above).

Recording requirements

Records of incidents covered by RIDDOR are also important. They ensure that you collect sufficient information to allow you to properly manage health and safety risks. This information is a valuable management tool that can be used as an aid to risk assessment, helping to develop solutions to potential risks. In this way, records also help to prevent injuries and ill health, and control costs from accidental loss.

You must keep a record of:

- Any accident, occupational disease or dangerous occurrence which requires reporting under RIDDOR.
- Any other occupational accident-causing injuries that result in a worker being away from work or incapacitated for more than three consecutive days (not counting the day of the accident but including any weekends or other rest days).

You do not have to report over-three-day injuries unless the incapacitation period goes on to exceed seven days.

If you are an employer who has to keep an accident book, the record you make in this will be enough.

You must produce RIDDOR records when asked by HSE, local authority or ORR inspectors.

How to report Online - Go to www.hse.gov.uk/riddor and complete the appropriate online report form. The form will then be submitted directly to the RIDDOR database. You will receive a copy for your records.

Telephone All incidents can be reported online but a telephone service remains for reporting fatal and specified injuries only. Call the Incident Contact Centre on 0845 300 9923 (opening hours Monday to Friday 8.30 am to 5 pm).

Reporting out of hours HSE has an out-of-hours duty officer. Circumstances where HSE may need to respond out of hours include:

- A work-related death or situation where there is a strong likelihood of death following an incident at, or connected with work.
- A serious accident at a workplace so that HSE can gather details of physical evidence that would be lost with time.
- Following a major incident at a workplace where the severity of the incident, or the degree of public concern, requires an immediate public statement from either HSE or government ministers.

Deadline for reporting to RIDDOR

A report must be received within 10 days of the incident. For accidents resulting in a member of staff being off work for over 7 days, you must notify the enforcing authority within 15 days of the incident, using the appropriate online form.

First-aid materials, equipment and facilities

When the assessment of first-aid requirements has been completed, the employer should provide the materials, equipment and facilities needed to ensure that the level of necessary cover identified will be available to employees at all relevant times. This will include ensuring that first-aid equipment, suitably marked and easily accessible, is available in all places where working conditions require it.

At [First Aid for Life](#) we can provide you with numerous free posters and information to give out to staff and parents on issues such as head injuries, asthma, anaphylaxis and many more...

Additional training needs

When arranging FAW or EFAW or other equivalent training, employers should let the training organisation know of any particular hazards at their workplace, so training can be tailored to meet those needs.

HSE strongly recommends that first-aiders undertake annual refresher training during any three-year FAW/EFAW certification period. This can be completed as online training.

Employers should also encourage first aiders to regularly review their course manual and any other instructional materials and allocate them time to do this. It will further help to maintain their first aid skills.

Prompt and appropriate First aid saves lives and can prevent minor injuries becoming major ones.

Under health and safety legislation (HSE regulations 1981) employers must ensure that there are adequate and appropriate equipment and facilities for providing first aid in the workplace.

Ofsted and Early Years Requirements:

If your organisation is Ofsted registered it is also necessary to have someone available on site and off-site for school trips at all times to comply with their requirements.

For the Early Years' Register it is necessary to have at least one member of the team with a full 12 hour paediatric first aid qualification available at all times per discreet area and including cover for trips and any absence.

The 12 hour course can be completed as a blended learning, with 6 hours pre-learning on line, followed by 6 hours in the classroom.

For more information on our paediatric courses please [click here](#)

First Aid for Life and Onlinefirstaid.com are multi-award-winning, fully regulated first aid training providers. We provide tailored first aid training relevant to your needs and the requirements of those using your services and facility.

Please visit www.firstaidforlife.org.uk or www.onlinefirstaid.com for more information. Or email emma@firstaidforlife.org.uk or call 02086754036. Special rates for AIP and CAA Members.

It is strongly advised that you attend a Practical or online First Aid course to understand what to do in a medical emergency. Please visit www.firstaidforlife.org.uk emma@firstaidforlife.org.uk or Tel 0208 675 4036 for more information about our courses.

First Aid for life provides this information for guidance and it is not in any way a substitute for medical advice. First Aid for Life is not responsible or liable for any diagnosis made, or actions taken based on this information.

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