

STUDENT HEALTH CARE GUIDELINES

FIRST AID

In this module the term parent is used to refer to a parent, parents, guardian or carer.

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1. Purpose

The purpose of these guidelines is to examine a school's responsibilities and obligations to provide First Aid facilities for its students (and staff, volunteers, contractors and visitors) in order to reasonably attend to an injury/illness at school during the course of a normal school day and during school activities outside normal school hours.

2. Key issues reminder

Note:

- Arising from a school's duty of care to its students, there will be occasions where administering medication is necessary to support students whilst they attend school – during the course of a school day where support cannot be reasonably undertaken by parents or others, and during school activities conducted outside of normal school hours (examples: co-curricular activities, excursions, sports days, camps etc), in circumstances where the medication is **medically necessary** during those times.
- While students may require medication for reasons of health, sometimes medication will also be necessary to assist learning or to modify behaviour.

- Consistent with a school's duty of care to ensure the safety of its students, is the obligation to ensure that medication is properly administered when assistance is provided. Failure to fulfill this duty may lead to the school being held liable.
- The duty of care to its students with regard to administering medication whilst they attend school does not extend to providing such assistance to students who are able to carry out these activities themselves. **If however, a student does self administer medication, the school has a duty to take reasonable steps to ensure that the self-administration is carried out safely.**
- The nature and degree of supervision required from a school for the administration of medication is influenced by the Schedule of the medication being administered. The higher the Schedule on the NSW Poisons List (example: Schedule 8), the greater the level of supervision that will be required. **The school's assessment of the potential risk(s) involved should guide its management of the risk(s).**
- School staff requested by a school to administer medication to students, in accordance with the school's practices, are acting in the course of their employment. Thus, if a student is injured/made ill as a result of the administration of medication by school staff, the staff are protected by the legal principle of **vicarious liability** in relation to personal injury proceedings. The principle of vicarious liability means that unless the staff have deliberately injured the student, or behaved with reckless disregard for the student's safety, or deliberately acted outside the practices directed by the school for the administration of medication, the school will be liable for any injury caused by the negligence of the staff.

3. Definitions

3.1 First Aid

First Aid is the initial and immediate administration of treatment in the case of illness/injury which may precede the involvement of a medical practitioner or full medical care being obtained.

It is provided in response to unpredictable injury/illness to:

- promote recovery; or
- prevent a condition worsening; or
- protect a person, particularly if the person is unconscious; or
- preserve life.

It involves an assessment of an illness/injury and applying the appropriate protocols of First Aid, if it is to be administered.

It does not involve such actions as:

- applying a band aid for a cut;
- watching/caring for a student either resting or waiting for his/her parent to collect him/her;
- providing a student with access to an asthma puffer where the student is deemed too young, according to her/her asthma plan, to carry the puffer him/herself.

4. Legislation and guidance

- 4.1 The **Key Issues** of these Guidelines referred to various legislation that required schools to implement practices related to student health, and assist students who have health support needs at school.
- 4.2 Under the **Occupational Health and Safety Act 2000 (NSW) (OH&S Act)**, schools must do everything reasonably practicable to ensure that students are not exposed to risks to their health and safety while they are at school.
<http://www.legislation.nsw.gov.au/maintop/view/inforce/act+40+2000+cd+0+N>

- 4.3 *Note:* Schools have a similar obligation under the **OH&S Act** to their staff, volunteers, contractors and visitors. This obligation is expressed widely in this module.
- 4.4 In addition, the **OH&S Act** also requires school staff to take reasonable care for people who are at the school and who may be affected by the staff's acts or omissions whilst they are at work. Further, school staff, whilst at work, are required to co-operate with the school so far as is necessary to enable it to comply with its obligations under the **OH&S Act**.
- 4.5 These obligations for schools and their staff are confirmed under the Common Law.
- 4.6 Schools and school staff, therefore, have a **shared responsibility** in relation to providing health and safety-related assistance to persons whilst they are at school in a learning (the school's students) or working or visiting capacity.
- 4.7 Under the **Occupational Health and Safety Regulation 2001 (NSW) (OH&S Regulation)**, schools are provided with some specific details about the types of measures they could, or are required to implement to satisfy their obligations under the **OH&S Act**. These details address such issues as: the provision of First Aid facilities and personnel, as well as providing arrangements for emergencies, including appropriate medical treatment of injured/ill persons.
<http://www.legislation.nsw.gov.au/maintop/view/inforce/subordleg+648+2001+cd+0+N>
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5. Procedures

In light of a school's legislative responsibilities and obligations summarized above, the following guidance is offered to schools for developing First Aid procedures which are applicable to their environment.

5.1 **First Aid assistance to be provided by all school staff**

- 5.1.1 As part of their shared responsibility to persons at the school, all school staff have a responsibility to provide assistance if a person requires immediate First Aid attention at school and no person trained in First Aid is available.
- 5.1.2 Where possible, if a person who has greater First Aid knowledge is available at the time, the school staff member attending an injured/ill person should also attempt to arrange for the more knowledgeable person to be contacted to provide assistance.
- 5.1.3 In an emergency situation, school staff should not act beyond their training and capabilities, but they would be expected to do what they could to prevent a condition worsening while awaiting the arrival of medical/emergency services.

5.2 **First Aid plan**

- 5.2.1 The **OH&S Regulation** prescribes certain minimum standards for the provision of First Aid at workplaces, and hence, schools.
- 5.2.2 However, no two schools are exactly the same. Therefore, the **OH&S Regulation's** general focus on risk management in the context of a given workplace, requires schools to plan what arrangements they may need to put in place for First Aid. A documented First Aid plan is the outcome of this process.
- 5.2.3 The WorkCover NSW **First Aid in the Workplace Guide 2001** provides information for a school on how to assess its existing First Aid arrangements, and improve on them where appropriate/necessary. www.hsc.csu.edu.au/ind_tech/ind_study/2467/guide_firstaid_121.pdf

Examples of issues for consideration are as follows:

- type of activities/work performed, and the nature of potential risks. Example: areas of the school using hazardous substances may require specialized First Aid facilities, such as eyewash stations and emergency showers;

- potential injuries/illnesses, and possible causes, including identified health conditions of students (and school staff), particularly conditions such as anaphylaxis, asthma, diabetes and epilepsy.

Note: The **CEC NSW Procedure for arranging student health support** provides further information/advice in this respect;

- number and distribution of students and staff. Examples: separate work areas in the school, school staff who may work shift work such as cleaners, sporting activities held away from the school site;
- size and layout of the school, with activities/work performed in varying areas of the school affecting the timeliness of access to First Aid facilities; and
- the school's location, including its closeness (or otherwise) to medical centres, hospitals, and ambulance services.

Note: This is not a substitute for providing facilities to cater for appropriate on-site immediate response.

Responses to these types of issues will help a school determine such matters as:

- the nature, number and location of First Aid facilities, examples: First Aid kits, and First Aid Rooms or Sick Bays;
- the number (and level of training) of trained First Aid personnel;
- the response procedure to an incident requiring First Aid treatment;
- how the school's arrangements are communicated to its staff, students, parents, etc.

5.2.4 The plan must ensure that all persons at the school site are able to be provided with First Aid services adequate for the immediate treatment of injuries/illnesses that arise at that site.

5.2.5 A template First Aid plan is provided at Appendix A of this module.

5.3 First Aid kits/supplies

5.3.1 Under the **OH&S Regulation**, a school's First Aid facilities must include a First Aid kit kept on site.

5.3.2 Type/size and contents of kits

The **OH&S Regulation** prescribes three types/sizes of First Aid kits, with the total number of persons working on a site determining the type/size of kit that a school must have available on that site.

In this regard, a copy of Clause 20(5) of the **OH&S Regulation** is provided at Appendix B of this module.

A kit should have the following information stored with it:

- a list of its contents, which should be checked on each occasion when the kit is used to ensure it is regularly replenished;
- the name(s) of the school's First Aid personnel;
- emergency telephone numbers;
- a Cardio-Pulmonary Resuscitation (**CPR**) chart; and
- information on precautions for infection control.

A school may also include in a kit such items as: ice packs (especially for sport), UV protection skin treatments, and First Aid treatments for stings and bites.

A kit, however, should **NOT** contain the following:

- analgesic substances for pain relief or
- reusable items, example: single use antiseptic swabs should be used instead of bottles of antiseptic.

A kit should also be clearly identifiable with a recognized First Aid sign (a white cross on a green background) prominently displayed on the outside.

5.3.3 Number and location of kits

A school's First Aid plan should guide the number and location of kits the school makes available to cover the breadth of its activities on and off site.

For a multi-site school with geographically separate sites, each site should be treated as a stand alone site for determining the necessary First Aid facilities.

The mandatory kit should be kept in a central location on the school site, such as in the Administration Office (in a small school that may not have a Sick Bay), a First Aid Room, or Sick Bay.

Depending on the size and layout of a school and its activities, the school should determine what additional kits may be needed. As a guide:

- additional kits should be placed in higher risk areas of the school, examples: the Aquatic Centre, Canteen, Gym (and multi-purpose hall), Maintenance Department, Science, Technology and Applied Studies, and Visual Arts;
- portable kits, as appropriate, should also be available for emergency evacuation, excursion activities, playground supervision, sports, and other off-site activities.

Where kits are provided, they should be:

- located close to a supply of clean running water;
- readily accessible to all school staff;
- kept where students cannot access them without supervision; and
- maintained and controlled by persons trained in First Aid. The school should nominate which staff will be in control of the kits.

Kits should **NOT** be locked when school staff are at work, that is, during the course of the school day or at times outside normal school hours when staff are working.

5.4 **First Aid Rooms and Sick Bays**

5.4.1 A school's First Aid plan should also address any requirement that the school may have to provide a First Aid Room or some other facility (example: a Sick Bay) on its site.

5.4.2 First Aid Room

Under the **OH&S Regulation**, a school with **more than 200 employees** on a site must include a First Aid Room as part of its First Aid facilities.

The requirements in this regard relate to:

- the person who controls the First Aid Room – refer to section 5.5 below; and
- the physical, supply and other requirements of a First Aid Room as prescribed in Clause 20(7) of the **OH&S Regulation**.

The requirements are provided at Appendix C of this module.

5.4.3 Sick Bay

Although not a legislative obligation, in order to meet their general duty of care obligations to students whilst at school, schools tend to allocate an area for use as a Sick Bay in which to care for injured/ill students (and other persons).

The allocated area is generally located beside or near the school's Administration Office.

First Aid Guidelines (V3 1 July 2008) issued by the NSW Department of Education and Training (**the NSW DET**) lists various issues for consideration (and addressing) where schools establish a Sick Bay. A copy of this list is provided at Appendix D of this module.

5.5 First Aid personnel and training

5.5.1 For a school, the number of First Aid trained staff and the level of training required should be guided by the school's First Aid plan.

5.5.2 A school has the following **minimum obligations for First Aid personnel**:

Day schools

Under the **OH&S Regulation**:

- A school with **25 or more employees on its site** must provide trained First Aid personnel, that is: at least one such person who holds a current First Aid Certificate from a WorkCover NSW (**WorkCover**) approved training course. WorkCover, however, recommends that access to trained First Aid personnel should be available wherever there are **more than 25 persons at a workplace**, regardless of whether or not those persons are employees. This recommendation is particularly pertinent for schools, which WorkCover often utilizes for illustration purposes.

WorkCover interprets the phrase "current First Aid certificate" to be a Senior First Aid Certificate from a WorkCover-approved training course – the two day programme, with accreditation for three years.

This interpretation is applicable to Catholic schools.

Although not a legislative obligation, a school may appoint:

- > a school staff member as a First Aid Officer, who holds a current Senior First Aid Certificate from a WorkCover-approved training course; and
- > a "back-up" person, similarly trained.
- A school with **more than 200 employees** on its site must provide a First Aid Room (**as distinct from a Sick Bay**) that is under the control of a person who:
 - > holds a current Occupational First Aid Certificate from a WorkCover-approved training course; or
 - > is a Level Three (3) or higher NSW ambulance officer; or
 - > is a registered nurse; or
 - > is a medical practitioner.

Schools with boarding facilities

In addition to the above obligations for Day schools, under the **Education Act 1990 (NSW)** www.austlii.edu.au/au/legis/nsw/consol_act/ea1990104/ the Board of Studies NSW (**the BOS**) requires a school with boarding facilities to have all staff directly involved in the supervision of boarders holding a current Senior First Aid Certificate from a WorkCover-approved training course. This requirement is reflected in the relevant Registration and Accreditation manuals provided by the BOS.

5.5.3 From its review of First Aid training providers and course delivery, WorkCover advises that it will, up to 30 June 2009:

- continue to recognize all courses currently approved; and
- recognize specific units of competency within the Australian Quality Training Framework in lieu of the current course requirements, which are delivered by Registered Training Organisations (RTOs) approved by the NSW Vocational Education and Training Accreditation Board. The selected cross-industry units of competency are nationally listed within the Health Training Package (HLT06). This package is nationalized by the Community Services and Health Industry Skills Council Ltd from over 70 qualifications and 700 units of competency.

On 1 July 2009, all WorkCover First Aid course approvals will expire, and WorkCover will recognize only that First Aid training which includes specific units of competency.

Materials produced by RTOs will provide schools with the translation of current course names to the units of competency covered, example:

Course name	Equivalent unit(s) of competency
First Aid course	HLTFA301B Apply First Aid
(Senior First Aid Course – Two days)	HLTCPR201A Perform CPR

5.5.4 As a school’s authorized activities take it’s “sites” to various locations, the school may implement additional arrangements to meet its responsibilities. Examples:

- The NSW DET and many Catholic school authorities apply certain mandatory policy requirements for teachers accompanying students on excursions. Schools should seriously consider adopting those requirements. Briefly, they are as follows:
 - every excursion must be accompanied by at least one teacher who has, as a minimum, current qualifications in Basic First Aid and Emergency Care procedures; and
 - all overnight and/or water excursions must be accompanied by at least one teacher with current qualifications in CPR.

Adopting these requirements would mean that a school will need to have a sufficient number of teachers holding current qualifications in Basic First Aid and Emergency care procedures, as well as CPR, from WorkCover-approved training courses. This would provide the school with more flexibility in allocating teachers to excursions and overnight and/or water excursions.

- Should a teacher at the school lead Duke of Edinburgh activities into remote areas separate from the assistance of external specialist providers, the school may consider requiring that that teacher hold a current Remote First Aid Certificate from a WorkCover-approved training course.

5.5.5 As the currency/validity of First Aid training needs to be maintained, although not legislated a school may encourage a school staff member to hold a current Examiner status from a WorkCover-approved training provider. This is to enable the school to conduct instruction/examination/re-accreditation in First Aid and CPR training economically and effectively within the school.

5.5.6 **Given the importance of the ability of a school to manage students’ health conditions at school, schools are strongly advised to include special training for conditions such as anaphylaxis, asthma, diabetes, and epilepsy in their plans for trained First Aid personnel, and general teaching staff.**

5.6 Recording and reporting of incidents/accidents where an injury/illness is sustained, and First Aid treatment applied

5.6.1 A school has obligations for the recording of incidents/accidents involving injury/illness, as well as, in certain circumstances, reporting them to specific agencies.

5.6.2 Recording incidents/accidents

A school should keep a Register of Injuries book for injuries/illnesses incurred by any person whilst at the school or participating in school authorized activities/programmes.

Under the **Workplace Injury Management and Workers Compensation Act 1998 (NSW)**, a school must keep a Register of Injuries (including psychological injuries) in relation to its employees (workers).

With respect to all other persons, although it is not a specific legislative requirement, this type of register assists a school in identifying risks as part of its risk management responsibilities under the **OH&S Regulation**.

Schools' insurance companies also generally require student, contractor, visitor and volunteer injuries/illnesses to be recorded for public liability purposes.

A standard Register of Injuries book may be used for ease of administration and reference. Alternatively, for school staff, a school may use an Employee Incident Notification Form from its insurer as the Register of Injuries for its staff.

In addition, a school should keep a Record of First Aid Treatment for injuries/illnesses where First Aid treatment is applied. A template for this type of form is provided at Appendix E of this module.

The Register and Record might conveniently be kept in a school's Administration Office, First Aid Room, or Sick Bay, as applicable.

5.6.3 Reporting of incidents/accidents

Outlined in the table below are the obligations schools have to report incidents/accidents where an injury/illness is sustained, to specific agencies.

Table: Reporting of injuries/illnesses to specific agencies

Person injured/ill	General activities (Excluding student sport and athletics)					Student sport and athletics		
	Students	Workers		Non-Workers (contractors, visitors, volunteers)		Students		
Type of injury/illness	Injury/illness incurred at school or during an activity operated or approved by the school	Injury/illness arising out of or in the course of employment with the school, where workers compensation may be payable ¹	Serious incident/accident as defined by WorkCover NSW See WorkCover NSW brochure for information ²	Injury/illness incurred at school or during an activity operated or approved by the school	Serious incident/accident as defined by WorkCover NSW See WorkCover NSW brochure for information	Injury/illness incurred at school or during an activity operated or approved by the school	Serious incident/accident as defined by WorkCover NSW See WorkCover NSW brochure for information	Serious injury to a student participating in a sporting or athletic activity operated or approved by the school ³
Notification to	School's insurance company	School's insurance company	WorkCover NSW	School's insurance company	WorkCover NSW	School's insurance company	WorkCover NSW	NSW Sporting Injuries Committee
Timeframe	As advised by the school's insurance company	Within 48 hours of incident/accident	See WorkCover NSW brochure for information	As advised by the school's insurance company	See WorkCover NSW brochure for information	As advised by the school's insurance company	See WorkCover NSW brochure for information	As soon as practicable after becoming aware of the serious injury or death, and in any case within twelve months
Contact details	T: 9273 2828 F: 9273 2880	T: 9273 2828 F: 9273 2880	T: 131050	T: 9273 2828 F: 9273 2880	T: 131050	T: 9273 2828 F: 9273 2880	T: 131050	T: 4321 5392 F: 9287 5392

Although there is no legislated period for keeping such reports, the NSW Sporting Injuries Committee advises that schools may wish to retain the reports for a period of five years, consistent with the WorkCover reports in (2) above. Alternatively, at its discretion, a school may retain the reports for the duration of the student's enrolment at the school.

For more information on the **Supplementary Sporting Injuries Benefits Scheme**, refer to the following website:
http://www.sportinginjuries.nsw.gov.au/2_player_accident.asp

¹ Requirement under the **Workplace Injury Management and Workers Compensation Act 1998 (NSW)**. www.austlii.edu.au/au/legis/nsw/consol_act/wimawca1998540/

² Requirement under the OH&S Act 2000 and OH&S Regulation, as reflected in the WorkCover NSW brochure *How to Notify Work-Related Incidents*. The OH&S Regulation prescribes that copies of reports provided to WorkCover NSW (WorkCover) must be retained by a school for a period of five years.

³ **Serious injury** means an injury that is, or may be capable of being, a compensable injury under the **Sporting Injuries Insurance Rule 1997 (NSW)** with respect to the **Supplementary Sporting Injuries Benefits Scheme** which covers all school children in NSW. (*Note: For notification purposes serious injury definition differs from the WorkCover serious incident/accident definition*) www.austlii.edu.au/au/legis/nsw/consol_reg/siir1997354/

5.7 Responsible practices

5.7.1 Provided at Appendix F of this module are some responsible First Aid practices for schools to consider adopting.

5.7.2 The areas covered in the Appendix are as follows:

- teaching students basic First Aid as part of the curriculum;
- illness, and contacting parents;
- hygiene/infection control with regard to blood and other bodily fluids;
- hygiene/infection control with regard to sharps;
- general hygiene;
- mouth-to-mouth resuscitation;
- head lice.

5.8 Summary of First Aid responsibilities

A brief summary of First Aid responsibilities is provided below.

5.8.1 School Principal

The School Principal is responsible for ensuring that a school implements all its First Aid obligations, including policies and procedures.

This includes providing any appointed First Aid Officer with the appropriate support so that other work tasks are not affected by his/her undertaking First Aid responsibilities.

5.8.2 Appointed First Aid Officers

Appointed First Aid Officers are responsible for providing initial First Aid treatment to injured/ill persons at school consistent with their level of training and competence.

First Aid Officers are also usually required to:

- arrange for regular checking of contents of First Aid kits and replenishing any out-of-date items;
- report to the appropriate school staff member if an injured/ill person will need to leave the school;
- record First Aid treatment and reporting any hazard to the School Principal (or appropriate school staff member); and
- complete an entry in the school's Register of Injuries book and Record of First Aid Treatment after having administered First Aid.

Note: The Register of Injuries book and Record of First Aid Treatment should also be completed by other school staff who administer First Aid to persons at school.

The person responsible for contacting parents, emergency services or a medical practitioner should be determined by the school.

5.8.3 Staff generally

Under the **OH&S Act**, a school staff member must, while at work:

- cooperate with the school so far as is necessary to enable it to comply with any requirement under the Act and legislation that is imposed on the school in the interests of health, safety and welfare;
 - not intentionally or recklessly, interfere with or misuse anything provided by the school in the interests of health, safety and welfare under the Act and legislation;
 - not by any act or omission, intentionally hinder or obstruct or attempt to hinder or obstruct, without reasonable excuse, the giving or receiving of First Aid to an injured/ill person; and
 - not, without reasonable excuse, refuse any reasonable request for assistance in the giving or receiving of First Aid to an injured/ill person.
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6. Appendices

- A. Template First Aid Plan
- B. First Aid kit Requirements
- C. First Aid Room Requirements
- D. Sick Bays – Issues for Consideration
- E. Template: Record of First Aid Treatment
- F. Responsible First Aid Practices