



National Offender Management Service

FIRST AID

This instruction applies to:		Reference:-
NOMS HQ Prisons Providers of Probation Services		AI 19/2015 PSI 29/2015 PI 21/2015
Issue Date	Effective Date Implementation Date	Expiry Date
16 November 2015 (Revised)	16 May 2016	29 October 2019
Issued on the authority of	NOMS Agency Board	
For action by	All staff responsible for the development and publication of policy and instructions <input checked="" type="checkbox"/> NOMS HQ <input checked="" type="checkbox"/> Public Sector Prisons <input checked="" type="checkbox"/> NOMS Immigration Removal Centres (IRCs) <input type="checkbox"/> Contracted Prisons <input checked="" type="checkbox"/> National Probation Service (NPS) <input type="checkbox"/> Community Rehabilitation Companies (CRCs) <input type="checkbox"/> Other Providers of Probation and Community Services <input checked="" type="checkbox"/> Governors <input checked="" type="checkbox"/> Heads of Groups <input type="checkbox"/> NOMS Rehabilitation Contract Services Team	
Instruction type	legal compliance	
For information	All staff, sub contractors	
Provide a summary of the policy aim and the reason for its development / revision	The purpose of this instruction is to set out mandatory policy for the effective management of First Aid throughout NOMS Update 16 November 2015: Amended to include a six month implementation period	
Contact	Occupational Health and Safety Section NOMS HQ Email - Anne.norton@noms.gsi.gov.uk Tel: 0300 047 5029	
Associated documents	PSI 06/2015 AI 04/2015 PI 03/2015 - Policy Organisation and Summary Arrangements for the Management of Health and Safety PSI 03/2013 Medical Emergency Response Codes PSI 11/2012 – Incident Reporting System PSI 04/2012 – Health Enabling PSI 64/2011 – Risk of Harm to Self, to Others and from Others PSI 24/2011 - Management and Security of Nights PSI 13/2011 - Management and Security of Communication/Control Rooms and Internal Prisoner Movement ERD Learning Bulletin June 2015 - Medical Emergency Response Codes	
Replaces the following documents which are hereby cancelled: 03/2010 First Aid guidance		

Audit/monitoring: In NOMS Prisons, First Aid provision must be regularly monitored and reported on locally (by the People Hub) and regionally and nationally via NORCET (NOMS' Occupational Health Safety and Fire monitoring tool).

In NOMS HQ, regional and satellite offices, NPS, Heads of Clusters must ensure first aid provision is regularly monitored at local H&S groups and Divisionally via H&S Audit.

Introduces amendments to the following documents: None

Notes: *All Mandatory Actions throughout this instruction are in italics and must be strictly adhered to.*

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1 Executive summary

Background

- 1.1 NOMS has a legal duty to make arrangements to ensure that employees receive immediate attention if they are injured or taken ill while at work. It does not 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. First aid can save lives and prevent minor injuries becoming major ones.
- 1.2 NOMS also recognises its duty of care to ensure adequate First Aid provision to prisoners/offenders and other visitors to sites who may be affected by our business. Issues concerning the adequacy of First Aid arrangements have been raised by the Prisons and Probation Ombudsman and Coroners in their investigations into deaths in custody.
- 1.3 This Instruction formalises previous guidance and mandates systems and a framework for organising the provision of First Aid locally.
- 1.4 The Health and Safety (First Aid) Regulations 1981 set out the essential aspects of First Aid that employers have to address. These Regulations apply to all workplaces, including those with fewer than five employees and there is no exemption for NOMS premises.
- 1.5 The Health and Safety (First Aid) Regulations 1981 and the Health & Safety Executive's guidance have been subject to a number of recent changes. These include removing the requirement for the Health & Safety Executive to approve the training and qualifications of staff appointed to provide First Aid. There have also been changes to withdraw the First Aid Approved Code of Practice and strengthen the associated guidance to help employers select First Aid training providers.
- 1.6 *All Health and Safety Advisors must ensure they are familiar with the detail of the Regulations in order to competently conduct a local First Aid needs assessment.* The detail of the Regulations is not set out in this PSI, but they can be downloaded free of charge from the Health and Safety Executive's website – link here:

<http://www.hse.gov.uk/pubns/priced/l74.pdf>.
- 1.7 In addition to the Regulations, the Corporate Manslaughter and Corporate Homicide Act 2007 enables organisations to be charged with corporate manslaughter:
 - when an organisation owes a relevant duty of care to someone;
 - where there was a gross breach of duty in the way in which any activity was managed or organised by senior managers; and;
 - this causes the person to die.

Desired outcomes

- 1.8 That effective provision of first aid enables NOMS to discharge its duty of care to its employees, to prisoners/offenders and to visitors to NOMS premises.

Application

- 1.9 Any reference to NOMS in this instruction includes NPS and Immigration Removal Centres for which NOMS is responsible, unless otherwise stated

Mandatory actions

1.10 *All management and all employees must ensure that they are aware of these mandatory actions and ensure this policy is implemented and adhered to, especially the following staff;*

- *Health and Safety Sponsors*
- *Health and Safety Advisors*
- *First Aid Coordinators*
- *First Aiders*
- *People Hub resource in prisons*
- *Custodial Managers*
- *Safer Custody staff*
- *Managers of Approved Premises*

Resource Impact includes the following:

1.11 Effective implementation of the mandatory actions in this instruction requires:

- The allocation of a First Aid Coordinator in each prison, IRC, NPS Cluster, or HQ building and satellite office. This role is designated Band 3 under “Fair and Sustainable” and in a prison forms part of the People Hub.
- In NOMS Prisons, the use of InVision to ensure that sufficient numbers of qualified First Aiders are on duty in all prison operational environments, at all times of the day and night, 365 days of the year and to identify duty First Aiders who will carry a radio.
- The training of staff who have volunteered to become a NOMS First Aider, via either the three-day First Aid at Work (FAW) course or the one-day Emergency First Aid at Work (EFAW) (whichever is appropriate in accordance with the local risk assessment) and ensuring training is kept up to date.

(Approved for Publication)

pp. Susan Frew
Deputy Director of Human Resources, NOMS

Carol Carpenter
Director of Human Resources, NOMS

2 Operational instructions

Equipment and facilities

- 2.1 *Governing Governors/Heads of Groups/ NPS Heads of Local Delivery Units/Managers of Approved Premises must ensure that adequate equipment and facilities are provided to enable First Aid to be given to employees, prisoners/offenders and visitors if they are injured or become ill at work, or while on NOMS premises.*
- 2.2 *Governing Governors/Heads of Groups/ NPS Heads of Local Delivery Units/Managers of Approved Premises must ensure that any First Aid room provided is easily accessible to stretchers and to any other equipment needed by the Emergency Services to convey patients to and from the room. The room must be clearly signposted with a sign which complies with regulation 4 of the Health and Safety (Safety Signs and Signals) Regulations 1996.*
- 2.3 *Governing Governors/Heads of Groups/ NPS Heads of Local Delivery Units/Managers of Approved Premises must ensure that employees are informed of the arrangements that have been made in connection with the provision of first aid, including the location of equipment, facilities, how to contact First Aiders and how to summon emergency aid.*

Risk assessment

- 2.4 *Governing Governors/Heads of Groups/ NPS Heads of Local Delivery Units/Managers of Approved Premises must ensure that at all times such numbers of suitably trained first aiders as is sufficient and appropriate for the circumstances, are available to provide First Aid to employees, prisoners/offenders and other visitors if they should become ill or injured while at work, or on NOMS premises.*
- 2.5 *Governing Governors and those in charge of NOMS premises must ensure that an assessment of the First Aid needs for their prison or workplace is carried out. A First Aid risk assessment must be recorded and conducted by persons competent to do so – in practice this is likely to be the Governing Governor/Head of Group/ NPS Head of Cluster/Managers of Approved Premises or someone appointed by them, with competent advice from the Health and Safety Advisor for the establishment, or for NPS premises the Business Administrator Specialist: HSF. See [Annex A](#) for guidance.*
- 2.6 *Comprehensive guidance on factors which need to be considered in a First Aid needs assessment may be found in the Health and Safety Executive's Guidance to the Health and Safety (First Aid) Regulations 1981 (L74 Third edition, Published 2013), link here: <http://www.hse.gov.uk/pubns/priced/l74.pdf>. This should be the source document for all First Aid related guidance and its contents will not be set out again here. *Health and Safety Advisors must ensure that they are familiar with the content of these Regulations**

Training

- 2.7 *NOMS Learning and Development Commissioning of contracts must ensure that all First Aid training available includes elements of bespoke training relevant to the particular first aid situations likely to arise in NOMS (self-harm, cut downs, bleeding).*
- 2.8 *Governing Governors/Heads of Groups/ NPS Heads of Local Delivery Units/Managers of Approved Premises must ensure that First Aiders are trained to levels which are appropriate for the circumstances – to either First Aid at Work (FAW) level or Emergency First Aid at Work (EFAW) level.*

2.9 *Governing Governors/Heads of Groups/ NPS Heads of Local Delivery Units/Managers of Approved Premises must ensure that First Aid training to staff is provided via the following methods only:*

- *Via the nationally commissioned First Aid at Work (FAW) and Emergency First Aid at Work (EFAW) call-off contracts available through Civil Service Learning (CSL)*
- *Via NOMS “in-house” First Aid trainers,*

The local decision on which method to use (or which mix of models to use) should be based on which method is most efficient, convenient for the organisation/ prison regime and provides best value for money.

2.10 *Trained first aiders must hold an up to date, valid certificate of competence in either First Aid at Work (FAW) or Emergency First Aid at Work (EFAW):*

- *FAW training includes EFAW and also equips the First Aider to apply First Aid to a range of specific injuries and illnesses*
- *EFAW training enables a first aider to give emergency First Aid to someone who is injured or becomes ill in the workplace.*

2.11 *NOMS in- house trainers must be trained and currently certificated as competent First Aid trainers. The “train the trainer” training must only be delivered via the nationally commissioned call-off First Aid contract, through Civil Service Learning (CSL).*

No other competency training will be recognised and the trainer must attend refresher training and requalification training as required by recognised UK standards and the CSL commissioned train the trainer course providers.

Minimum provision of trained first aiders

2.12 The aim of first aid is to reduce the effects of injury or illness suffered at work, whether caused by the work itself or not. *First-aid provision must be ‘adequate and appropriate in the circumstances’.* This means that sufficient first-aid equipment, facilities and personnel need to be available at all times, taking account of alternative working patterns, to:

- *give immediate assistance to casualties with both common injuries or illnesses and those likely to arise from specific hazards at work;*
- *summon an ambulance or other professional help.*

2.13 *In the **prison operational environment**, the following levels of First Aid staffing cover must be adhered to **as a minimum**, at all times of the day and night:*

- *At least one FAW trained staff member*
And
- *Sufficient numbers of EFAWs to provide emergency first aid to staff, prisoners and others, including visitors (the number will be determined by the local first aid risk assessment)*

2.14 *In **NPS Approved Premises**, all operational staff (including any contracted staff e.g. security) must be trained to EFAW, as a minimum.* This removes the need to pay attention to staff first aid training when arranging shift rotas.

- 2.15 In all other NOMS premises the levels of First Aid staffing cover will be determined by the local first aid risk assessment

First Aider role and maintaining and checking First Aid equipment and facilities

- 2.16 In NOMS, the role of First Aider is voluntary.
- 2.17 *Duty First Aiders must check First Aid equipment and facilities on every shift (in Prisons and Managers of Approved Premises) and weekly in all other premises and re-stock/replenish where necessary, in accordance with local purchasing/ordering protocols.*

Use of InVision in prison operational environments

- 2.18 *In prison operational environments, Governing Governors must ensure that InVision is used for Detailing adequate First Aid cover in the operational environment at all times.*

Detailing staff must:

- *Refer to the First Aid risk assessment for the establishment to ensure the cover identified in the assessment is provided.*
- *Detail adequate numbers of suitably trained First Aiders in operational environments, as per the guidance in [Annex A](#) and use a **flagging system** on InVision to identify duty First Aiders who will carry radios.*
- *Ensure that historical records of Detailed duty First Aiders are retained for audit and investigation purposes (e.g. after deaths in custody). In prisons, Governing Governors must ensure that InVision is used for Detailing adequate First Aid cover in the operational environment at all times. See [Annex A](#).*

Designating a First Aid Coordinator

- 2.19 *Governing Governors/Heads of Groups/ NPS Heads of Local Delivery Units/Managers of Approved Premises must ensure that a First Aid Coordinator is designated in every establishment/group/ HQ location/NPS Cluster/Managers of Approved Premises.*
- 2.20 In NOMS Prisons, the role of First Aid coordinator has been assigned to the Band 3 People Hub post, but in NPS the allocation of the role will be subject to local determination.
- 2.21 *The Coordinator must maintain an up to date record of First Aid trained personnel, ensure InVision (in prison operational environments only) is kept up to date with trained personnel & certification expiry dates, and organise suitable training for First Aiders (in accordance with a properly conducted first aid risk assessment) which maximises efficiencies.*
- 2.22 *He or she must:*
- *Refer to the First Aid risk assessment (carried out by managers with advice from the establishment's Health and Safety Advisor/Divisional BAS:HSF) for each area of the establishment/Division.*
 - *Make arrangements to ensure that appropriate staff are trained to the appropriate level (FAW or EFAW), in appropriate numbers, to meet the requirements of the risk assessment.*
 - *Ensure that the correct numbers of staff are trained to the appropriate level – either FAW or EFAW. Historically, most prisons have trained too many administrative staff, to too high a level (i.e. FAW) unnecessarily. FAW trained First Aiders will primarily be required for operational and high risk areas during high risk periods.*

- *Ensure that suitable arrangements are made for requalification and refresher training of First Aiders and any NOMS in house First Aid trainers, as required by recognised UK standards and the CSL commissioned train the trainer course providers. (see [Annex B](#) for details)*
- *Ensure that details of First Aiders' training, requalification and certificate expiry dates are recorded and maintained on InVision, so that Duty First Aiders may be Detailed in operational environments.*

Carrying radios (prison operational environments only)

2.23 *Governing Governors must ensure that in operational environments all duty First Aiders carry a radio at all times and that only nationally agreed radio call signs are used as set out in PSI 3/2013.*

Medical emergencies - All staff

2.24 *This Instruction does not infringe on the instructions given regarding medical emergencies in [PSI 03/2013](#) referred to above.*

2.25 *Staff must not rely on, or wait for a first aider, before calling for an ambulance in an emergency.*

2.26 *Staff attending the scene of a potentially fatal incident must render such assistance as is required by the first aider, regardless of their training status.*

Monitoring audit and review

2.27 *Governing Governors and NPS Heads of Local Delivery Units/Managers of Approved Premises must ensure that First Aid provision is regularly monitored and audited to ensure that adequate provision is being made available and that failings are acted upon appropriately and without delay.*

ANNEX A – GUIDANCE TO THE MANDATORY REQUIREMENTS

1. First Aid risk assessment

- 1.1. It is considered advisable to consult on the assessment through your local Health and Safety Committee and to include the First Aid Coordinator in the development of the assessment.
- 1.2. Examples of some factors to consider in a First Aid needs assessment in NOMS operational environments (i.e. prisons, IRCs, APs) include:
 - History of previous incidents/accidents
 - Propensity for self-harm among prisoners/detainees
 - Distribution of the staff across the site and the size of the site
 - Work patterns
 - Remoteness of the site from emergency services
 - Age of the workforce
 - Size of the establishment
 - The needs of travelling, lone, remote workers
- 1.3. Unless specific local contractual agreements have been entered into with an establishments' Healthcare provider, staff in prisons' Healthcare should not be included in First Aid provision, or Detailed on InVision as Duty First Aiders.
- 1.4. It is a mandatory requirement of this PSI/PI that First Aid risk assessments are recorded. By retaining a record of their risk assessment Governors/Heads of Groups/NPS Heads of Local Delivery Units/Managers of Approved Premises can demonstrate to a Coroner, the Prisons and Probation Ombudsman (PPO), a safety representative, or an HSE or local authority inspector, how they decided on their level of First Aid provision. Page 10 of the HSE's Guidance to the Regulations provides a helpful checklist. **This is in addition to the maintenance of the InVision record of duty first aiders in the operational prison setting.**
- 1.5. The result of the risk assessment should indicate **the number** of first aiders required and **the levels of training required**. Generally, First Aid cover will be a mix of staff trained to FAW and EFAW level and in operational environments at least to the mandatory requirements set out in this PSI.
- 1.6. The risk assessment should take account of holidays or sick leave of first aiders to ensure that coverage is adequately maintained at all times.
- 1.7. The arrangements in place for the provision of First Aid should be reviewed as necessary, particularly in relation to Coroners letters/ PPO reports; in the light of any operational changes to ensure that the arrangements remain appropriate.

2. The role of First Aider

- 2.1. The role of First Aider in NOMS is voluntary. When selecting someone to take up the role, a number of factors need to be taken into account, including an individual's:
 - Reliability, disposition and communication skills
 - Aptitude and ability to absorb new knowledge and learn new skills
 - Ability to cope with stressful and physically demanding emergency procedures
 - Normal duties, which should be such that they may be able to respond immediately and rapidly to an emergency

3. Can legal action be taken against First Aiders?

3.1. It is very unlikely that any action would be taken against a trained and qualified first aider who holds a current certificate and who is operating in accordance with the training they have received. Any claimant is likely to sue the Ministry of Justice, as the employer is legally responsible for the acts or omissions of its employees when acting properly in the course of their employment.

4. Contractors and others on NOMS sites

4.1. Where contractors and others are providing services or engaged in work in NOMS premises, arrangements for First Aid provision should be agreed between all parties before work starts. Identifying who will be responsible for First Aid is strongly recommended to avoid any misunderstandings. This should be included in the contract agreed between NOMS and the provider.

4.2. It may be appropriate for NOMS to agree to take responsibility for providing First Aid cover for all the workers - in these cases a full exchange of information about the hazards and risks involved would help make sure that the shared provision is adequate. All employers should agree the arrangements and employees should be kept informed.

4.3. Where it is not be desirable or appropriate for NOMS to take responsibility for providing First Aid cover for contracted workers (for example a group of contractors on a construction project) a written agreement identifying who is responsible for providing first aid cover is recommended before work starts, as set out above.

4.4. Where NHS and local authority contractors are working in a prison, responsibility for first aid for contractor staff rests with their employer. Arrangements to provide first aid to health and social care contractor staff should be explicitly agreed through local joint governance meetings.

5. Shared Premises/locations

5.1. Where NOMS staff are based in shared locations e.g. with Community Rehabilitation Companies (CRCs), private prisons, or based in Courts, the provision of first aiders/facilities can be shared with the other parties by agreement. A written agreement between employers is strongly recommended to avoid any misunderstandings. This would usually be included in a local office sharing agreement.

ANNEX B**FIRST AID TRAINING – REQUALIFICATION AND REFRESHER TRAINING REQUIREMENTS****Requalification training**

1. All first-aid training certificates, whether FAW, EFAW or some other appropriate training, are valid for three years.
2. Employers need to arrange requalification retraining before certificates expire. The FAW requalification course lasts two days.
3. If the first-aider does not retrain or requalify before the expiry date on their current certificate they are no longer considered competent to act as a first-aider in the workplace. They can requalify at any time after the expiry date by undertaking the two-day requalification course. However, it may be prudent to complete the three-day FAW course, especially where a considerable period – i.e. in excess of one month – has elapsed since the FAW certificate expired.
4. An EFAW requalification course should be of the same duration and content as the initial EFAW course (one day)

Refresher training

5. It is strongly recommended that first-aiders undertake **annual refresher** training during any three-year FAW/EFAW certification period. Although not mandatory, this will help qualified first-aiders maintain their basic skills and keep up-to-date with any changes to first-aid procedures.