

FIRST AIDERS

The role of first aiders under the model WHS laws

This fact sheet provides information on the role of first aiders under the model Work Health and Safety (WHS) laws.

About the model WHS laws

The model WHS laws recognise that workers who are trained as first aiders perform a valuable role in reducing the severity of injury or illness at the workplace.

The model WHS Regulations require a person conducting a business or undertaking (PCBU) at a workplace to ensure the provision of and access to first aid equipment and facilities. The PCBU must also ensure that an adequate number of workers are trained to administer first aid in the workplace, or that access to other trained first aiders is available to workers.

What are my duties as a first aider under model WHS Act?

If you are a worker who is a trained first aider, you do not have any additional duties beyond those of other workers.

All workers have a duty to:

- a) Take reasonable care for their own health and safety;
- b) Take reasonable care not to adversely affect the health and safety of others;
- c) Comply with any reasonable instructions given by the PCBU to allow it to comply with its duties; and
- d) Co-operate with any reasonable policy or procedure relating to health and safety at the workplace.

This means that workers who are first aiders need to take 'reasonable care' for their own safety and that of others in performing their normal work and in their role as a first aider. What is considered to be reasonable care will depend on what is reasonable in the circumstances taking into account your knowledge of first aid and the situation. In practical terms, the responsibility of first aiders is to provide care only to the level of their first aid training.

Will my duties as a first aider change under the WHS Act?

The model WHS laws do not impose any new or additional duties on workers who are first aiders. If you are a trained first aider you will continue to have the same duties you have now.

Officers such as company directors have a duty to exercise due diligence to ensure that their PCBU complies with the model WHS Act. This duty extends to making sure that the PCBU has adequate arrangements in place for providing and accessing first aid equipment and resources. First aiders who make decisions about first aid arrangements, procedures or how to administer first aid at the workplace, are not considered to be officers under the WHS Act.

What must my PCBU do for me as a first aider?

First aid requirements may vary from one workplace to the next depending on the nature of the work, the types of hazards present, the workplace size and location and the number of people at the workplace. All of these factors should be taken into account by a PCBU in deciding what first aid arrangements need to be provided. This includes the number of trained first aiders who should be available to administer first aid at the workplace.

Your PCBU must ensure that you are properly trained to administer first aid. First aiders should hold nationally recognised Statements of Attainment by a Registered Training Organisation for the nationally endorsed first aid units of competency. You should attend training on a regular basis to refresh your first aid knowledge and skills to confirm that you are competent to provide first aid. It is up to your PCBU to ensure that your first aid training is appropriate to the nature of the workplace and to pay for this if necessary.

Where there are hazards particular to your workplace or the operations at your workplace, you should be made aware of the hazards, the types of injuries or illnesses they may cause and the first aid required for such injuries or illnesses.

Where there are specific circumstances at your workplace, such as workers with severe allergies, you may also need to undertake additional first aid training in order to be able to respond effectively, especially if previous training has not covered the relevant topic.

Your PCBU must also ensure that:

1. First aid kits are accessible, properly equipped and well maintained;
2. First aiders have the skills and competencies required of them;
3. Workers have access to trained first aiders at all times;
4. Workers know how to access trained first aiders and facilities; and
5. Workers know what to do in an emergency situation.

Emergency procedures should specify the role of first aiders according to their level of qualification and competence. In particular, first aiders should be instructed not to exceed their training and expertise in first aid. Other staff, including supervisors, should be instructed not to direct first aiders to exceed their first aid training and expertise.

The PCBU must also consult (so far as is reasonably practicable) with workers (including first aiders) and other duty holders (such as other businesses) regarding the first aid facilities, equipment and procedures that are required at the workplace.

Am I entitled to be paid for my work as a first aider?

Under the model WHS Act, there is no requirement that a first aider be paid for performing that role. Some organisations and companies do pay their first aiders a nominal amount in recognition of the importance of the role they perform.

Further guidance is available in the (draft) Code of Practice:

First Aid in the Workplace