



**An Bille um Gharchabhair agus Meabhairshláinte i Scoileanna (Múinteoirí
Reatha), 2018**

First Aid and Mental Health in Schools (Existing Teachers) Bill 2018

Mar a tionscnaíodh

As initiated



**AN BILLE UM GHARCHABHAIR AGUS MEABHAIRSHLÁINTE I SCOILEANNA
(MÚINTEOIRÍ REATHA), 2018
FIRST AID AND MENTAL HEALTH IN SCHOOLS (EXISTING TEACHERS) BILL
2018**

*Mar a tionscnaíodh
As initiated*

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ACTS REFERRED TO

Education Act 1998 (No. 51)

Teaching Council Act 2001 (No. 8)



**AN BILLE UM GHARCHABHAIR AGUS MEABHAIRSHLÁINTE I SCOILEANNA
(MÚINTEOIRÍ REATHA), 2018
FIRST AID AND MENTAL HEALTH IN SCHOOLS (EXISTING TEACHERS) BILL
2018**

Bill

5

entitled

An Act to provide for the introduction of a requirement that all existing staff in schools be trained in occupational first aid response and mental health first aid; to require that training in occupational first aid response and mental health first aid forms part of a continuing professional development requirement for school staff; to provide for the approval of first aid response courses and mental health first aid courses; and to provide for related matters.

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Be it enacted by the Oireachtas as follows:

PART 1

PRELIMINARY AND GENERAL

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Short title and commencement

1. (1) This Act may be cited as the First Aid and Mental Health in Schools (Existing Teachers) Act 2018.
- (2) This Act comes into operation on 1 January 2019.

Interpretation

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2. In this Act—

“Board of Management” means—

- (a) in respect of a primary school or post-primary school the board or other equivalent forum which is charged with responsibility of the oversight, management and governance of the school, and
- (b) in respect of a pre-school service means the proprietor or other designated person in charge;

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“member of staff” means a teacher or special needs assistant or other person who is formally qualified to provide tuition or supervision at a pre-school service, primary school, or post-primary school;

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- “Minister” means the Minister for Education and Skills;
- “post-primary school” means a school which is recognised by the Minister in accordance with section 10 of the Education Act 1998 and which provides post-primary education to its students;
- “pre-school service” means any pre-school, play group, day nursery, crèche, day-care or other similar service which caters for pre-school children, including those grant-aided by the Health Service Executive; 5
- “primary school” means a school which is recognised by the Minister in accordance with section 10 of the Education Act 1998 and which provides primary education to its students and which may also provide early childhood education; 10
- “Principal” means—
- (a) in respect of a primary school or post primary school, the person who has been appointed as Principal, and in the absence of the Principal means the person duly appointed as Deputy Principal, and
 - (b) in respect of a pre-school service, the proprietor or other designated person in charge; 15
- “Teaching Council” means the Teaching Council established under the Teaching Council Act 2001.

Regulations

3. (1) The Minister may make regulations prescribing any matter which is referred to in this Act as prescribed or to be prescribed or in relation to any matter referred to in this Act as the subject of regulations or for the purposes of enabling any provision of this Act to have full effect. 20
- (2) Every regulation or order made by the Minister shall be laid before each House of the Oireachtas as soon as practicable after they are made and, if a resolution annulling the regulation, order or rules is passed by either House within the next subsequent 21 days on which that House has sat after the regulation, order or rules are laid before it, the regulation, order or rules shall be annulled accordingly, but without prejudice to the validity of anything previously done thereunder. 25
- (3) Regulations made under this Act may— 30
- (a) include such consequential, incidental, transitional or supplementary provisions as may be considered by the Minister to be necessary or appropriate for the purposes of this Act, and
 - (b) apply, either generally or by reference, to a specified class or classes of persons or category or categories of recognised school or to any other matter as may be considered by the Minister to be appropriate. 35

PART 2

FIRST AID AND MENTAL HEALTH TRAINING REQUIREMENT FOR TEACHERS

First aid training and mental health training – existing teachers

4. (1) A person who is serving as member of staff of a pre-school service, primary school, or post-primary school shall be required to demonstrate that he or she has, within two years of the coming into operation of this section, successfully completed a course of education and training in— 5
- (a) occupational first aid response, and
 - (b) mental health first aid training,
- which has been prescribed under *section 6*. 10
- (2) Without prejudice to the generality of *subsection (1)* the course relating to mental health first aid training shall incorporate training in respect of—
- (a) indicators of mental health issues in children,
 - (b) indicators of anxiety and depression,
 - (c) information on eating disorders, and 15
 - (d) the steps to be taken to assist and support the child.
- (3) This section does not apply to a person who is serving as member of staff who has in the previous five years undergone initial teacher training and such training incorporated the required level of training in—
- (a) occupational first aid response, and 20
 - (b) mental health first aid.

First aid training and mental health training – CPD requirement

5. (1) Each member of staff of a pre-school service, primary school, or post-primary school shall every five years be required to successfully complete a refresher course of education and training in occupational first aid response and mental health first aid training which has been prescribed under *section 6*. 25
- (2) In this section, “every five years” means five years from the successful completion of—
- (a) a course of training which is referenced in *section 4(1)*, or
 - (b) a course of training provided for under relevant legislation, 30
- and each five yearly interval thereafter.

Approved first aid training courses

6. (1) The Minister, having consulted with the Teaching Council, shall prescribe courses of education and training as being suitable for the purposes of enabling persons to—
- (a) achieve the qualification of being a trained occupational first aid responder and 35

- mental health first aider as required under *section 4*, and
 - (b) renew an existing qualification in occupational first aid response and mental health first aid as required under *section 5*.
- (2) The Minister may by regulations provide guidance on the course syllabus for the training of persons in— 5
- (a) occupational first aid response, and
 - (b) mental health first aid.

Obligation to facilitate attendance at training

7. The respective Boards of Management of each pre-school service, primary school, and post-primary school shall facilitate the maintenance by members of staff of his or her competence as a trained occupational first aid responder and mental health first aider as required under *section 4* or *5*. 10

Records of training completed

8. Each pre-school service, primary school, and post-primary school shall maintain—
- (a) a log in a prescribed form of the occupational first aid response and mental health first aid training which has been undertaken by each member of staff, and 15
 - (b) copy certificates attained upon successful completion by each member of staff of the required training.

PART 3

FIRST AID POLICY 20

First aid policy

9. (1) Each pre-school service, primary school and post-primary school shall prepare a first aid policy which is reviewed on an annual basis.
- (2) A first aid policy which is prepared pursuant to this section shall address the matters which have been prescribed by the Minister. 25
- (3) A copy of a first aid policy which is prepared or reviewed under *subsection (1)* shall—
- (a) be provided to each member of staff, and
 - (b) at all times be displayed in a conspicuous position on the premises.
- (4) It shall be the duty of each member of staff to familiarise themselves with the content of the current first aid policy. 30

First aid box

10. (1) Each pre-school service, primary school and post-primary school shall ensure that a

suitably equipped first aid box for children is safely stored in an accessible and conspicuous position on the premises, and is at all times available to the children attending the premises.

- (2) In this section “suitably equipped first aid box” means a first aid box which contains first aid materials of a type and quantity as prescribed by the Minister in consultation with the National Council for Curriculum Assessment. 5

PART 4

COMPLIANCE WITH LEGISLATION

Duty on Board of Management to ensure compliance

- 11.** It shall be the duty of each Board of Management to ensure that: 10
- (a) staff comply with the training requirement provided for in *section 4(1)*;
 - (b) staff comply with the refresher training requirement provided for in *section 5*;
 - (c) the school maintains a log which is required under *section 8(a)*;
 - (d) the school maintains copy certificates which are required under *section 8(b)*;
 - (e) the school prepares a first aid policy required under *section 9(1)*; 15
 - (f) the school provides a copy of the first aid policy to each member of staff as required under *section 9(3)*; and
 - (g) the school maintains a first aid box as required under *section 10*.

An Bille um Gharchabhair agus
Meabhairshláinte i Scoileanna (Múinteoirí
Reatha), 2018

BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht do dhéanamh socrú maidir le ceanglas a thabhairt isteach go gcuirfear oiliúint sa fhreagairt garchabhrach ceirde agus sa gharchabhair mheabhairshláinte ar an bhfoireann reatha go léir i scoileanna; dá cheangal go mbeidh oiliúint sa fhreagairt garchabhrach ceirde agus sa gharchabhair mheabhairshláinte mar chuid de cheanglas maidir le forbairt ghairmiúil leanúnach le haghaidh foireann scoile; do dhéanamh socrú maidir le cúrsaí freagartha garchabhrach agus cúrsaí garchabhrach meabhairshláinte a cheadú; agus do dhéanamh socrú i dtaobh nithe gaolmhara.

*Na Seanadóirí Robbie Gallagher, Diarmuid Mac
Liam agus Keith Swanick a thug isteach,*

3 Bealtaine, 2018

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*Introduced by Senators Robbie Gallagher, Diarmuid
Wilson and Keith Swanick,*

3rd May, 2018

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