



Northern Ireland
Assembly

Committee for Education

Education (Curriculum) (CPR and AED) Bill

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Powers and Membership

Powers

The Committee for Education is a Statutory Departmental Committee established in accordance with paragraphs 8 and 9 of the Belfast Agreement, Section 29 of the Northern Ireland Act 1998 and, under Standing Order 48. Statutory Committees have been established to advise and assist the appropriate Minister on the formation of policy in relation to matters within his/her responsibilities. Specifically, the Committee has power to:

- consider and advise on departmental budgets and annual plans in the context of the overall budget allocation;
- consider relevant secondary legislation and take the committee stage of primary legislation;
- call for persons and papers;
- initiate inquiries and make reports; and
- consider and advise on matters brought to the Committee by the Minister for Education.

The Committee has 9 members, including a Chairperson and Deputy Chairperson, and a quorum of 5.

Membership

The Committee has 9 members, including a Chairperson and Deputy Chairperson, and a quorum of five members. The membership of the Committee is as follows:

- Mr Chris Lyttle MLA (Chairperson)
- Mr Pat Sheehan MLA (Deputy Chairperson) (1)
- Ms Nicola Brogan MLA
- Mr Robbie Butler MLA
- Mrs Diane Dodds MLA (2)
- Mr Harry Harvey MLA (2)
- Mr Daniel McCrossan MLA
- Mr Justin McNulty MLA
- Mr Robin Newton MLA

1 From 1 February 2021 Mr Pat Sheehan replaced Ms Karen Mullan as a member of the Committee

2 From 21 June 2021 Mrs Diane Dodds and Mr Harry Harvey replaced Mr William Humphrey and Mr Maurice Bradley as members of the Committee.

List of Abbreviations and Acronyms used in this Report

DE: Department of Education

CPR: Cardiopulmonary resuscitation

AED: Automated external defibrillator

PMB: Private Members' Bill

Executive Summary

Pre-Legislative Scrutiny

1. Colin McGrath MLA Sponsor of the Bill attended an informal meeting of the Education Committee with representatives of British Heart Foundation on 11 May 2021 to brief the Committee on his legislative proposal.
2. The Sponsor advised Members that he intended to legislate to place a duty on the Department of Education for the mandatory provision of CPR (cardio-pulmonary resuscitation) and AED (automated external defibrillator) training in post-primary schools in Northern Ireland.
3. He explained that there are 1,400 occurrences of cardiac arrest outside hospital in Northern Ireland each year. From these the survival rate is only 1 in 10. Other countries that adopted mandatory CPR training in schools, such as Denmark, have been able to improve survival rates to 1 in 4. The Bill would make the provision of 2 hours of CPR training every 5 years for secondary school pupils mandatory.
4. Mr McGrath MLA informed Members that the consultation he had carried out in developing his Private Members' Bill proposal had received replies from over 1000 respondents, including parents and teachers, who supported the proposal.
5. Members suggested to the Bill Sponsor that 2 hours of CPR training over a 5-year period was very low and suggested that annual refresher training would be useful. Mr McGrath agreed that this would be preferable and that the purpose of the Bill was to set a minimum.

Primary Legislative Process

6. Mr McGrath continued to develop and draft his proposal. On 4 October 2021, the Education (Curriculum) (CPR and AED) Bill was introduced in the Assembly.
7. The Bill contained three clauses and provided that, three months after enactment, the Department of Education should have added training in CPR

and ARD to the curriculum minimum content list for key stage 3 pupils in Article 7 of the Education (Northern Ireland) Order 2006 (minimum content).

8. The Explanatory and Financial Memorandum accompanying the Bill explained that its background and policy objectives were as follows:

“Cardiac arrest is the ultimate medical emergency, occurring when someone’s heart stops pumping blood around the body and they stop breathing normally. When your heart stops pumping blood, your brain is starved of oxygen. This causes you to fall unconscious and stop breathing. This differs from a heart attack, which is when blood supplying the heart muscle is cut off due to a clot in one of the arteries.

Early cardiopulmonary resuscitation (CPR) and a defibrillator shock are vital to a person’s chances of surviving a cardiac arrest. Every minute without CPR and defibrillation reduces a person’s chance of survival by up to ten per cent. Survival rates are higher in places where more people are trained to perform CPR and are willing to intervene.

In Northern Ireland there are around 1,400 out-of-hospital cardiac arrests each year. Less than one in ten people survive to be discharged from hospital.

The UK government confirmed in January 2019 that CPR training will be added to the national curriculum in England. Administering CPR is now part of wider compulsory Health Education classes to educate young people in life skills. All 32 local authorities in Scotland have committed to introduce CPR lessons in all their secondary schools. A new curriculum was introduced in Wales in March 2021, following a decision by the then Minister for Education, Kirsty Williams MS, CPR training was included as a statutory element of the new curriculum.

The policy objective of the Bill is to make cardiopulmonary resuscitation training and automatic external defibrillator (AED) awareness compulsory for all pupils in post-primary school in Northern Ireland to help improve survival rates from cardiac arrest.”

9. It was reported that the Education Minister announced on 21 September 2021 that CPR will be taught to Key Stage 3 pupils from the 2022-23 school year onwards.
10. The Second Stage debate in plenary took place on 8 November 2021. Contributors were quick not only to show their support, but to query why a Private Members' Bill was required when the Minister was minded to act and could easily effect the same outcome by secondary legislation.
11. The Member undertook to work with the Minister on his proposal and pledged to persevere until a commitment was in law to bind future Ministers.
12. The Committee Stage of the Bill began on 9 November 2021.
13. The Committee's call for written evidence issued on 22 November 2021 and was initially open to respondents until 17 December 2021. This deadline was later extended until 7 January 2022.
14. Mindful of Christmas recess, the Committee agreed to ask for an extension to the Committee Stage scrutiny period.
15. The Chairperson brought a motion to extend Committee Stage until 2 February to the Assembly on 14 December 2021. The extension was granted.
16. The Committee received 6 responses to its call for views.
17. The Committee sought and received research briefing from RAISE and advice on the need for regulation making powers from the Examiner for Statutory Rules.

Examiner for Statutory Rules

18. The Examiner advised that the Bill would require insertion of a mandatory requirement for the Department in the Education (Curriculum Minimum Content) Order (Northern Ireland) 2007. She noted that: "*The exercise of this order making power by the Department is subject to the negative resolution procedure as per Article 43(2) of the 2006 Order*".

19. Further, the Examiner advised that the delegation of legislative power presently provided for in the Bill is not inappropriate; and that the exercise of this legislative power is subject to an appropriate Assembly scrutiny procedure.

Alternative legislative vehicle

20. On 17 December, the Committee received correspondence from the Department of Education proposing that it make a Statutory Rule, the Education (Curriculum Minimum Content) (Amendment) Order (Northern Ireland) 2021, under powers conferred by powers conferred on it by Articles 7(2) and 43(5) of the Education (Northern Ireland) Order 2006.
21. The purpose of this Statutory Rule is to amend the Education (Curriculum Minimum Content) Order (Northern Ireland) 2007 by inserting reference to CPR training and AED awareness in the Table at Part 5 of Schedule 2 under the heading “LEARNING FOR LIFE AND WORK: Personal Development”.
22. The Department envisaged CPR and AED skills being taught alongside existing first aid provision in the Learning for Life and Work component of the syllabus as the ideal context: *“it would provide opportunities to develop practical knowledge alongside the skills and attributes necessary to put such knowledge into practice in a real life emergency, for example, through development of self-confidence and empathy and learning to identify and manage risk”*.
23. The Department advised that: *“[...] the Committee is currently considering Colin McGrath’s Private Member’s Bill in relation to this issue. The Committee may wish to note that the Department’s proposal will achieve the same policy intention that Mr McGrath is seeking to achieve, without recourse to primary legislation”*.

Research findings: implementation requires legislation *and* resource

24. RAISE research had highlighted the key message that there is a need for more than legislation alone to ensure successful implementation: in particular, the critical importance of support, training and resources to facilitate the mandatory delivery of CPR education in schools, even in cases where legislation has

passed. The researcher advised that the paper might be of particular use when the Department defines the content and procedure for the mandatory roll-out.

25. The Department's letter of 17 December noted in respect of resources that "*The Department has commissioned CCEA and the Education Authority to develop and provide a range of bespoke resources and training to support the universal roll-out of CPR at Key Stage 3. They will work closely with key stakeholders including the British Heart Foundation and the Northern Ireland Ambulance Service as well as schools. Further information and guidance from the Department signposting this additional support and training will be provided.*"
26. Further, the first year of the measure is underpinned by funding secured: "*The Department is providing £70k of funding to develop resources and support for schools during 2021/22*".

Comparison of the SL1 and the Private Members' Bill

27. The Committee agreed to seek the PMB Sponsor's perspective on this proposal.
28. Mr McGrath MLA wrote to the Committee on 24 January 2021 as follows.

"I will now be withdrawing my private member's bill. I am content that the order which is being delivered by the Minister for Education satisfies the aims and objectives of my bill. By withdrawing this bill, it is my hope and belief that CPR training and AED awareness can be delivered in schools as quickly as possible. I would like to thank the committee for their deliberations on the bill so far and for the scrutiny that has been so ably provided".
29. The Committee sought and received advice from the Examiner for Statutory Rules on the proposed rule. The Examiner's advice confirmed that the rule would have the same effect as that sought by Mr McGrath MLA.
30. Finally, the Committee heard from DE officials on 26 January 2022. They clarified that the PMB's intervention would not be timebound, whereas the effect of the Department's SL1 is to make an immediate change to the statutory curriculum, negating the need for primary legislation.

31. The Committee acknowledged the work done by Colin McGrath MLA, the Minister and the Department to achieve this immediate addition to the curriculum, to promote lifesaving skills and create a growing corps of confident and resilient proponents of CPR and AED in the school population and the wider community.

Introduction

1. The Education (Curriculum) (CPR and AED) Bill (the Bill) was introduced to the Assembly on 4 October 2021 and referred to the Committee for Education for consideration on completion of the Second Stage of the Bill on 8 November 2021 in accordance with Standing Order 33(1).
2. The Education (Curriculum) (CPR and AED) Bill (NIA 38/17-22) has 3 clauses and no schedules. The Bill's Explanatory and Financial Memorandum (EFM) sets out the purpose of the Bill and a summary of its main provisions. The Bill and the EFM can be viewed at:

<http://www.niassembly.gov.uk/assembly-business/legislation/2017-2022-mandate/non-executive-bill-proposals/education-curriculum-cpr-and-aed-bill/>
3. The objectives of the Education (Curriculum) (CPR and AED) Bill are described in the Explanatory and Financial Memorandum (EFM) as follows: to make cardiopulmonary resuscitation training and automatic external defibrillator (AED) awareness compulsory for all pupils in post-primary school in Northern Ireland to help improve survival rates from cardiac arrest.

Committee's approach

4. Prior to the introduction of the Bill the Committee met informally with the Bill sponsor Colin McGrath MLA on 11 May 2021 to discuss the proposed legislation.
5. The Committee had before it the Integrated Education Bill (NIA 38/17-22) and the Explanatory and Financial Memorandum that accompanied the Bill.
6. Following introduction of the Bill to the Assembly, the Committee wrote on 22 November 2021 to key education stakeholders. The Committee also inserted notices in the Belfast Telegraph, Irish News and News Letter seeking written evidence on the Bill by 17 December 2021. The Committee also highlighted its call for evidence via social media.

7. Six organisations and individuals responded to the request for written evidence. Copies of these submissions received by the Committee are included at Appendix 6.
8. During the period covered by this Committee Stage Report, the Committee considered the Bill and related issues at 3 of its meetings. The relevant Minutes of Proceedings are included at Appendix 4.
9. At its meeting on 26 January 2022 the Committee considered correspondence from the Bill Sponsor Colin McGrath MLA, indicating that he was content that draft secondary legislation proposed by the Department of Education would achieve the same policy intention as the Education (Curriculum) (CPR and AED) Bill without recourse to primary legislation. Mr McGrath accordingly indicated his intention to withdraw the private member's bill.
10. At its meeting on 26 January 2022 the Committee was briefed by officials from Department of Education on the Education (Curriculum Minimum Content) (Amendment) Order (Northern Ireland) 2022 and agreed that it was content for the Department to prepare the secondary legislation.
11. At its meeting on 2 February 2022, the Committee agreed that its Report on the Integrated Education Bill – this Report – would be the 3rd Report of the Committee for the 2017-22 mandate. The Committee also agreed that this Report should be printed.

Links to Appendices

Appendix 1: Memoranda and Papers from the Department for Education

[View Memoranda and Papers supplied to the Committee by the Department](#)

Appendix 2: Memoranda and Papers from Others

[View Memoranda and Papers supplied to the Committee from other individuals or organisations](#)

Appendix 3: Minutes of Proceedings

[View Minutes of Proceedings of Committee meetings related to the report](#)

Appendix 4: Minutes of Evidence

[View Minutes of Evidence from evidence sessions related to the report](#)

Appendix 5: Written submissions

[View written submissions received in relation to the report](#)

Appendix 6: Research Papers

[View Research Papers produced by the Assembly's Research and Information Service \(RaISe\) in relation to the report](#)

Appendix 7: Other Documents relating to the report

[View other documents in relation to the report](#)

Appendix 8: List of Witnesses that gave evidence to the Committee

- Sam Dempster – Department of Education
- Suzanne Kingon – Department of Education

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