

EDUCATION (CURRICULUM) (CPR AND AED) BILL

EXPLANATORY AND FINANCIAL MEMORANDUM

INTRODUCTION

1. This Explanatory and Financial Memorandum has been prepared by Colin McGrath MLA (“the Member”), in order to assist the reader of the Bill and to help inform the debate on it. It does not form part of the Bill and has not been endorsed by the Assembly.
2. The Memorandum should be read in conjunction with the Bill. It is not, and is not meant to be, a comprehensive description of the Bill, and where a clause or part of a clause does not seem to require any explanation or comment, none is given.

BACKGROUND AND POLICY OBJECTIVES

3. 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.
4. 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.
5. 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.
6. 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.
7. 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.

CONSULTATION

8. The Member conducted a consultation exercise over a nine-week period from 15 January to 19 March. The consultation took the form of an online survey and online meetings. The Member also shared his legislative proposal with the Northern Ireland Human Rights Commission and the Equality Commission for Northern Ireland.
9. The consultation showed strong support for the Bill and the policy objective. 94% of respondents to the consultation thought that CPR training should be compulsory in schools and 98% believe government has a responsibility to ensure training is provided. In an opinion poll conducted in June 2021, 90% of respondents agreed that CPR training should be made compulsory as part of the post-primary school curriculum in Northern Ireland.

OPTIONS CONSIDERED

10. In developing this legislation, the Member considered the following options:

Option 1: Do nothing and maintain the status quo in relation to CPR training in schools. Some schools provide CPR training to pupils but there is no consistent approach.

Option 2: Proceed with a Private Member's Bill to ensure that every pupil completes their post-primary education with the skills to save a life.

11. Following consultation and deliberation, the Member considers that primary legislation is the best mechanism by which to achieve the policy objectives and improve survival rates from out-of-hospital cardiac arrest.

OVERVIEW

12. The bill has one substantive clause and no schedules.

COMMENTARY ON CLAUSES

Clause 1: This is the only substantive clause in the Bill.

Part 2 of the Education (Northern Ireland) Order 2006 makes provision for the curriculum in schools. Under Article 7(2) of that Order, the Department has a power to specify the minimum content of that curriculum for different key stages. This is the power which allows the Department to set out the details of what needs to be on the curriculum. The main current exercise of that power is set out in the Education (Curriculum Minimum Content) Order (Northern Ireland) 2007. At present, the 2007 Order includes a general requirement for the curriculum to include emergency first aid awareness.

Clause 1 obliges the Department to exercise the power under Article 7(2) to place training in CPR and AED awareness onto the curriculum for key stage 3. This obliges the Department to

make an order (a type of secondary legislation). It is for the Department to determine the precise details (for example the content and procedure) for placing CPR training and AED awareness as a minimum requirement on the curriculum.

Clause 2: provides for commencement of the Bill six months after Royal Assent.

Clause 3: gives the Bill its short title.

FINANCIAL EFFECTS OF THE BILL

13. The Member believes that it is not anticipated that the Bill will give rise to any significant additional expenditure. Additionally, the Member believes that, given the benefits to be gained by society through the potential lives that could be saved and the reduction in morbidity due to early CPR, the Bill represents value for money overall.
14. However, it is acknowledged that there may be some additional financial implications resulting from the Bill. The Department of Education may wish to provide schools with resources to enable pupils to learn CPR such as manikins or to enlist support from training providers. Some charities provide CPR training services, such as the British Heart Foundation who provide free CPR training kits to eligible schools.

HUMAN RIGHTS ISSUES

15. The Member is satisfied that the bill is human rights compliant.

EQUALITY IMPACT ASSESSMENT

16. An Equality Impact Assessment has not been undertaken, as communications between the Member and the Equality Commission and legal advice the Member has received did not identify any equality implications of the Bill. Therefore, it is considered the Bill will not have an adverse impact on any of the groups identified in section 75 of the Northern Ireland Act 1998. For policy implementation, the Department of Education should consider Equality Impact Assessments as appropriate.

LEGISLATIVE COMPETENCE

17. At introduction, the sponsor of the Bill, Mr Colin McGrath MLA had made the following statement under Standing Order 30 of the Northern Ireland Assembly:

“In my view the Education (Curriculum) (CPR and AED) Bill would be within the legislative competence of the Northern Ireland Assembly.”

SECRETARY OF STATE CONSENT

18. It is considered that the Secretary of State’s consent under section 8 of the Northern Ireland Act 1998 is not required for this Bill.



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