



Oifig an Leas-Stiúrthóir Ginearálta-Oibríochtaí
Feidhmeannacht na Seirbhísí Sláinte
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Mr. Alan Kelly, TD
Dáil Eireann
Leinster House
Kildare Street
Dublin 2

By email to: alan.kelly@oir.ie

Ref: PQ 43488/20 and PQ 43489/20

“To ask the Minister for Health if section 38 and 39 service providers have to provide a first aid qualified person at each location.”

“To ask the Minister for Health if a training grant is provided to section 38 and 39 organisations to provide first aid services at each location.”

Dear Deputy Kelly,

The Health Service Executive (HSE) has been requested to reply directly to you in the context of the above Parliamentary Questions which you submitted to the Minister for response. I propose to answer both questions together by way of a composite response. I apologise for the delay in responding to you, and any inconvenience caused.

Pursuant to Section 38 and Section 39 of the Health Act 2004, the HSE funds circa 2,200 Service Providers and these range in size from large teaching hospitals to comparatively small community-based Service Providers. It should, however, be noted that these Service Providers are self-governing legal entities who are fully responsible for all matters in relation to the management of their facilities. To that end they are obliged to adhere to all relevant legislation, including Health and Safety legislation.

Related to this, all Service Providers (as employers) have certain statutory duties with regard to Occupational First Aid, S.I. No. 299/2007 – Safety, Health and Welfare at Work (General Application) Regulations 2007 – Section 165 refers. It should also be noted that Occupational First Aid training is also provided to Section 38 Service Providers by the HSE’s National Health & Safety Function. This is a three-day training programme and is certified to Pre-Hospital Emergency Care Council (PHECC) standards and requires a one-day refresher programme every two years on certification.

In accordance with the HSE’s standard Service Arrangement and Grant Aid Agreement all Service Providers in receipt of funding are contractually obliged to adhere to all relevant legislation, including Health and Safety legislation, which would include the above. The standard Service Arrangement for Section 38 and Section 39 Service Providers includes a specific clause in respect of adherence to current Health and Safety legislation, which governs the provision of Occupational First Aiders.

In terms of funding First Aid, these Service Providers are provided with an overall grant and it is generally not detailed in terms of the amount of funding each Service Provider expends on First Aid. Expenditure on First Aid, the provision of such a First Aid service and related training costs, where relevant, are therefore a matter for individual Service Provider organisations.

Given their autonomy, and the fact that many of these Service Providers in turn have a number of facilities across various locations, it is therefore not practical for the HSE to state whether First Aid qualified personnel are available in all of these facilities, however, it is expected that all Service Providers will discharge their statutory and contractual obligations in this respect.

I trust this information is of assistance to you but should you have any further queries please contact me.

Yours sincerely,



Anne O'Connor
Chief Operations Officer