

LEGAL IMPLICATION OF FIRST AID

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Part of Employment - When first aid is part of your job, there is a legal duty to respond to an emergency situation at the workplace such as; nurses, attendant care workers, paramedics, security guards etc. Part of the responsibility is to use reasonable skill and care based on your level of training and knowledge. If not sure what to do, it is best not to provide first aid past your comfort level. If you are a designated first aider at work, make sure your certification up-to-date and it is best to have a level of training higher than the minimum as it will provide more confident and efficient care. Individuals whose paid employment obligates them to perform first aid are not covered under good Samaritan laws but by liability insurance provided by their employer.

Being a passer-by - In Canada, not including Quebec and the United States there is no legal obligation to help a person in need. It is encouraged to help others based on the Good Samaritan Principles, which protect you if you choose to help someone in need. When starting to provide any type of aid, there is an obligation to use reasonable skill based on the trained and comfort level.

Principles of the Good Samaritan

Is when;

- you help a person when you have no legal duty to do so
- you help a person without being paid
- you help because you care and not for some other reason

Abiding Steps a person should follow when giving aid

- identify yourself and your position
- get consent/permission to help an injured or ill adult before you touch them, if the adult is unconscious, consent is usually implied as it is universally understood that an unconscious adult would want help. In the case of conscious and unconscious children and infants, consent must always be obtained from the parent or guardian.
- use only level of knowledge and skill that is reasonable and trained for
- do not neglect or abandon the injured person
- in the case of performing first aid procedures on an infant, child or member of the opposite sex; it is always a good idea to verbalize what you are going to do before you do it
- in the case of an unconscious casualty, emergency services must be notified as a matter of due diligence on the part of a first aider