

Defibrillators (Availability) Bill

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TO

Require the provision of defibrillators in education establishments, and in leisure, sports and certain other public facilities; to make provision for training persons to operate defibrillators; to make provision for funding the acquisition, installation, use and maintenance of defibrillators; and for connected purposes.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Health and Wellbeing Boards' duty to promote comprehensive provision of defibrillators

- (1) It shall be the duty of Health and Wellbeing Boards in England to promote, encourage and facilitate the comprehensive provision of publicly available defibrillators in their areas. 5
- (2) In meeting its duty at subsection (1) a Health and Wellbeing Board must carry out, but is not limited to carrying out, the following—
- (a) the production of an assessment of the need for, and most effective location of, defibrillators;
 - (b) providing advice to the owners of premises where the Board considers defibrillators should be installed; 10
 - (c) the encouragement of people other than establishments and councils required to make provision under sections 3 and 4 to provide and maintain defibrillators;
 - (d) the identification of funders for the provision of defibrillators; 15
 - (e) providing advice to those required by this Act and voluntarily providing defibrillators on—
 - (i) sources of funding,
 - (ii) the location of defibrillators at their premises,
 - (iii) the provision of training in the use of defibrillators, 20
 - (iv) best practice in the use of defibrillators;
 - (f) the promotion of public awareness of the availability, location and use of defibrillators;

- (g) the compilation and publication of a register of available defibrillators and their location; and
- (h) the publication of an annual report on the use and effectiveness of defibrillators in its area.
- (3) The duty does not include a requirement to fund the provision of defibrillators or for training in their use. 5
- (4) A Health and Wellbeing Board must, in the exercise of any functions under this section, have regard to any guidance published by the Secretary of State for the purposes of this section.
- 2 Secretary of State’s duty to provide guidance on the provision of defibrillators 10**
- (1) It shall be the duty of a the Secretary of State to issue guidance on –
- (a) the provision of publicly available defibrillators;
- (b) targets for the availability of defibrillators, which can make different provision for different types of area; 15
- (c) the siting of defibrillators to ensure that they are publicly available (for example, on gates to premises);
- (d) the signage to indicate the location and availability of defibrillators; and
- (e) training in the use of defibrillators. 20
- (2) The Secretary of State may review and issue revised guidance from time to time.
- (3) Before issuing or revising guidance the Secretary of State must consult such persons as he or she considers appropriate.
- 3 Provision of defibrillators in educational establishments 25**
- (1) *By 1 April 2020 all educational establishments in England are required to provide a publicly available defibrillator at their main building and, where they have buildings at which students or pupils are taught at more than one site, at each of their campuses.*
- (2) When an educational establishment provides a defibrillator that educational establishment must – 30
- (a) ensure that the defibrillator is installed and maintained according to the manufacturer’s recommendations;
- (b) ensure that the defibrillator is provided with signage to make it easily identified and located by the public and which meets any guidance on signage issued by the Health and Wellbeing Board; and 35
- (c) inform the Health and Wellbeing Board of its installation and operation.
- (3) When an educational establishment provides a defibrillator that educational establishment may –
- (a) promote awareness of the defibrillator both within the establishment and to the public in the area in which it is located; and 40
- (b) combine training in the use of defibrillators with training in first aid.

- 4 Provision of defibrillators by town, parish, community and neighbourhood councils**
- (1) *By 1 April 2020 all town, parish, community and neighbourhood councils in England are required to provide at least one publicly available defibrillator.*
- (2) When a council provides a defibrillator the council must—
- (a) ensure that the defibrillator is installed and maintained according to the manufacturer’s recommendations;
 - (b) ensure that the defibrillator is provided with signage to make it easily identified and located by the public and which meets any guidance on signage issued by the Health and Wellbeing Board; and
 - (c) inform the Health and Wellbeing Board of its installation and operation.
- (3) When a council provides a defibrillator it may promote public awareness of the defibrillator in the area in which it is located.
- 5 Planning guidance on the provision of defibrillators in educational establishments**
- (1) By 31 December 2019 the Secretary of State must issue guidance to planning authorities advising on the circumstances when planning permission for the renovation or building of new educational establishments should be granted subject to a condition that a defibrillator be installed as part of the development.
- (2) The Secretary of State may review and issue revised guidance from time to time.
- (3) Before issuing or revising guidance the Secretary of State must consult such persons as he or she considers appropriate.
- 6 Interpretation**
- In this Act—
- a “defibrillator” is an external defibrillator used to deliver a therapeutic electric shock to the heart in order to treat a condition that affects the rhythm of the heart in order to re-establish normal conduction of the heart’s electrical impulse;
 - an “educational establishment” is—
 - (a) a university established by Royal Charter,
 - (b) a university established by statute,
 - (c) an institution granted the status of university by an instrument under the Further and Higher Education Act 1992,
 - (d) a college incorporated through the 1992 Act,
 - (e) a school that has been approved under section 342 of the Education Act 1996,
 - (f) a maintained school within the meaning given by section 20(7) of the School Standards and Framework Act 1998,
 - (g) a maintained nursery school within the meaning given by section 22(9) of that Act,
 - (h) an independent school registered under section 158 of the Education Act 2002,

- (i) an independent educational institution registered under section 95(1) of the Education and Skills Act 2008,
 - (j) an alternative provision Academy within the meaning given by section 1C of the Academies Act 2010,
- “premises” includes buildings and part of a building; and
- “publicly available“ means a publicly accessible place to which the public usually have unrestricted access at all times.

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7 Expenses

There shall be paid out of money provided by Parliament –

- (a) *any expenditure incurred under or by virtue of this Act by the Secretary of State; and*
- (b) *any increase attributable to this Act in the sums payable under any other Act out of money so provided.*

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8 Short title, commencement and extent

- (1) This Act may be cited as the Defibrillators (Availability) Act 2019.
- (2) This section comes into force on the day on which this Act is passed.
- (3) Section 2 shall come into force at the end of a period of three months beginning with the day on which this Act is passed.
- (4) All other sections shall come into force at the end of a period of six months beginning with the day on which this Act is passed.
- (5) This Act extends to England and Wales.

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*Ordered to be brought in by Maria Caulfield,
Jim Shannon, Stephen Twigg,
Mr Edward Vaizey, Chris Green,
Dr Philippa Whitford, Peter Aldous,
and Dr Lisa Cameron*

*Ordered, by The House of Commons,
to be Printed, 19th December 2018.*

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