

Playground Risk Management Policy

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Introduction

This strategy has been prepared to formally recognise the maintenance and inspection regime of Torbay Council's play and leisure facilities and the assets within these facilities. The policy will outline the legal responsibilities of the authority and how Torbay Council will meet these responsibilities through a system of inspection, assessing risk and responses to faults and risks. Playgrounds by their very nature should provide a degree of risk and challenges to the users. The policy will therefore summarise Torbay Council's objectives in providing challenging play while identifying an acceptable degree of risk.

Legal Requirements

There is no specific legislation on play safety. However, the key legislation is the:

- Health & Safety at Work Act 1974
- Management of Health and Safety at Work Act 1992
- Occupiers Liability Act 1957 and 1984
- Health and Safety at Work Regulations 1999

Torbay Council and their staff have a duty to take actions to ensure the safety of people at work and members of the public who may be affected by the facilities provided by the Local Authority. It is governed by the test of "reasonable practicability". In other words, it is reasonable to correct major hazards; it is unreasonable to spend considerable resources on minor faults where risk is negligible and potential injury very minor.

Industry Standards and Guidance

These standards and Safety Guidelines are not a legal requirement but are considered to be good professional working practice.

EN1176 – Playground Equipment

EN1176 is the European Standard which replaced the old British Standards. The standard is not retrospective and provides advice on design layout and the inspection of playground equipment. Contained within the guidance are the following key recommendations:

- That if the equipment is not safe, access by the public should be prevented
- The equipment must be inspected and maintained
- An inspection record should be maintained for 21 years

Civil Legislation

In the event of a serious accident claims are based on negligence: that is, the department responsible for play took or failed to take some action which made the accident more likely to happen or worse than would otherwise have been the case. The defence will be based on Torbay Council Play Risk Management Strategy Updated January 2013 Page 2 evidence such as records of inspections and maintenance, compliance with the Standards and relevant risk assessments.

The policy will set out the methodology Torbay Council will use in managing and maintaining the playgrounds within their control. The policy will take into account the authority's legal responsibilities and outline a method of inspections and maintenance given the resources available to the authority.

Balancing Risks and Benefits

Our time, Our Space, Our Choice is Torbay Council's play policy framework and outlines the service goals in providing play spaces in Torbay. Contained within the policy are the following:

- The Natural elements
- Fabricated and natural materials and tools
- Challenge
- Free movement
- Emotions
- Variety
- Play with Identity
- Varied Social interaction
- Change



Torbay Council will ensure these points are adhered to in the development of new and existing play provision. Torbay Council Risk Management Approach will aim to offer play spaces that are stimulating and challenging environments enabling children to explore and develop their abilities. In providing these environments Torbay Council will manage the level of risk so that children are not exposed to unacceptable risks and hazards.

Playground Inspection Methodology

Torbay Council is responsible for 73 areas that will adhere to the guidance set out in this document. The areas include playgrounds, fitness equipment trails, skate parks, BMX tracks and multi use games areas (MUGA). The responsibility for the operational regular inspection of the play and leisure facilities in Torbay will be carried out by Natural Environment Services which forms part of Resident & Visitor Services.

Currently the responsibility for litter picking and grounds maintenance of the playgrounds of the play and leisure facilities in Torbay is split between two contractors. The contractor will provide this service and report any obvious hazard to the Authority. This section of the strategy will identify Torbay Council's methodology in managing the authority's assets following:

- Inspections Frequency and Type
- Inspection Type Definitions
- Assessing the Level of Risk
- Summary of Risks

Inspection Frequency & Type

The table below details the frequency of inspections and the inspector responsible for carrying out the on-site inspections. The inspector and frequency rates are currently feasible given resources available to Torbay Council and the current contractual arrangements which are set until 2020.

FREQUENCY OF INSPECTION	INSPECTION TYPE	INSPECTOR
Weekly	Visual	Contractor/Partner
1 – 3 Months	Operational	Natural Environment Services
Annual	Annual Detailed	RoSPA (or other external organisation)
Bespoke	Reactive	Natural Environment Services RoSPA (or other external organisation)

All inspections will be carried out on a portable device where the results of the inspections are fed direct into a live database. For the purpose of data protection the inspection findings are stored and cannot be tampered with.

Torbay Council will ensure all inspectors receive the appropriate training to carry out the inspections of play and leisure facilities.

Inspection Type – Definitions

Routine Visual Inspections – EN 1176-7.6.2a - LOOK & SEE

It includes the identification of obvious hazards resulting from use, weather and vandalism, broken parts or bottles, litter, graffiti, equipment misuse.

Through existing contract arrangements contractors working on behalf of Torbay Council arrange the litter clearance and grounds maintenance in accordance with a performance quality standard. Obvious hazards as described above will be reported to the Authority. Visual inspections are not recorded in the same manner but managed through existing contracts and client / contractor liaison meetings.

Operational Inspection – EN1176-7.6.2b - POKE & PROD

Operational Inspections provide a more detailed inspection to check the operation and stability of all equipment and surfaces especially for wear.

It is recommended that inspections should be carried out every 1 – 3 months. Initially all areas will receive a monthly operational inspection. Frequency of Operational inspections may alter to a period of no longer than 3 months in certain areas. In using resources better, Torbay Council may alter frequencies of the operational inspections and this decision will be dependent of the grading of the area which will consider factors such as popularity, profile and equipment type.

- Check repairs carried out by others; rust and rot; bearings.
- Cleanliness
- Equipment Ground Clearance
- Exposed Foundations
- Sharp Edges
- Missing Parts
- Excessive Wear (of moving parts)
- Structural Integrity

Inspectors will be trained to RPII Operational inspector's level enabling them to perform an operational inspection.



Annual Main Inspection – EN1176-7.6.2c

These inspections will approximately be carried out every 12 month, not exceeding 15 months.

- The overall safety of equipment, foundations and surfaces
- The effects of weather, evidence of rotting or corrosion and any change in the level of safety as a result of repairs made or added or replacement components.

The annual Inspections are to be carried out by an independent inspector.

Operational and annual inspections, whether inspection carried out by a Council employee or contractor working on behalf of the authority will be inspected and recorded using the same method and system. Diagram 1 depicts the flow of information, starting with the methods for recording inspections, the processes carried out by Natural Environment Services and the actions and outcomes.



Bespoke Inspections

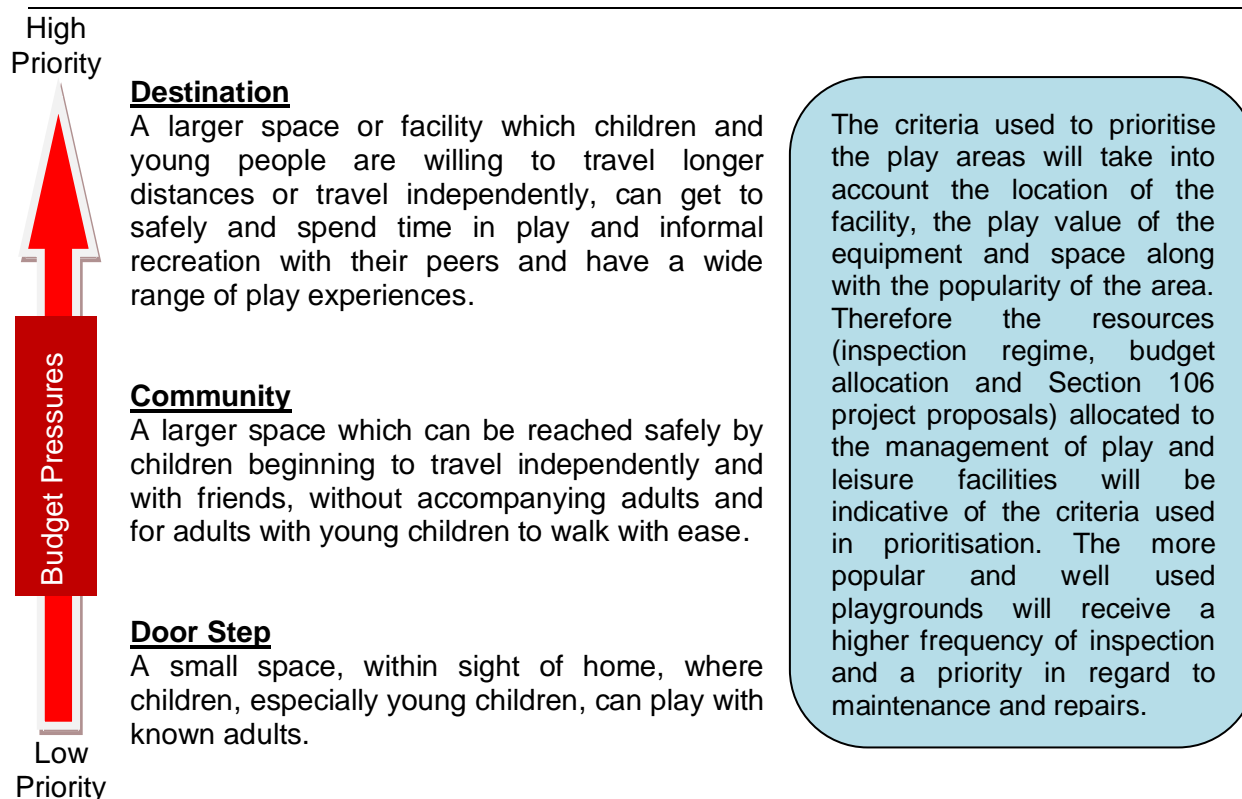
These inspections can be carried out by Council officer within the team responsible for managing the play and leisure facilities and or independent inspector. The inspection method is carried out using the same inspection system as all other inspections carried out by in house and external contractors. Typically bespoke inspections are a consequence of enquiry from a community member, an accident in a play facility, in response to an urgent request or to carry out a post installation inspection following the installation of new equipment. Bespoke inspections are also carried out as a method of verifying and checking existing inspections.

Accidents, Enquiries and Claims

Torbay Council will record all accidents and enquires relating to the play areas and facilities within them. The details of the enquiry, complaint or accident will be recorded within the same system used for issuing and recording inspections. Recording incidents in this manner will enable the authority to illustrate a clear chain of information from the inspection, the associated risk, details of works and repairs carried out and any information related to an accident or enquiry. This information will enable the authority to defend itself against claims and also be an effective management tool for future improvements.

Torbay's Priority Approach

Using techniques approved by Play England, Torbay Council will categorise and prioritise the play areas within the Authority's management into the following:



Assessing Level of Risk

The level of risk will be assessed by the Council's Officer, contractor or independent inspector with sufficient knowledge. Inspectors will be qualified to carry out risk assessments in addition to the specific play inspection

Methodology

The risk assessment utilizes the 5x5 methodology and risk is assigned as a product of probability and severity.

Risk Score = Probability x Severity

A final quantitative risk rating of immediate, high, medium or low is then obtained from an outcome matrix based upon the final score

Risk Rating

Having obtained a risk score, the qualitative risk rating is obtained using the following matrix. Probability is a measure of the likelihood of an event happening. In managing play risk, the probability score will also take into consideration the location (is the area well used by children) and the popularity of individual piece of equipment within that location. These factors will combine to produce a score for the likelihood from injury from the hazard identified.

PROBABILITY	SEVERITY				
	1	2	3	4	5
1 (Rare)	1	2	3	4	5
2 (Unlikely)	2	4	6	8	10
3 (Possible)	3	6	9	12	15
4 (Likely)	4	8	12	16	20
5 (Certain)	5	10	15	20	25

Rating	Risk	Action
1-9	Low	Monitor situation, action required in the event of any deterioration or exceptional circumstances likely to affect risk rating e.g. review of risk assessment following an accident. Action will be required on some situations where indicated.
10-15	Medium	Monitor situation, action required as soon as practicable, and within defined time frame, to reduce risk to lowest practicable level e.g. provision of suitable fencing and gates around play area.
16-24	High	Immediate action required to remove risk or reduce to its lowest reasonably practiced level e.g. replacement of severely worn swing chains.
25	Immediate	Immediate action required and access by the public must be prevented.

Severity Score	Severity of injury
1 Very Low	No injury likely • Damaged or soiled clothing, minor bruising
2 Slight	Minor injury • Laceration or bruising requiring first aid only
3 Moderate	Injury requiring medical intervention • Laceration requiring stitches • Sprain, fracture of small bones of hand or foot
4 High	Serious injury including hospitalisation for observation • Concussion • Fracture of long bones of leg/arm • Back/neck injuries • Fractured skull
5 Very High	Severe injury involving the potential for permanent disability • Amputation • Loss of sight • Spinal injury • Fatality

Summary of Risks: Acceptable Risks, Actions & Time Frames

Immediate	Action advised to be undertaken immediately and the operator or appropriate representative must be notified from the site by telephone.
High	May continue in use. Action required should be indicated in the inspection. Remedial action to be carried out within 3 months. Earlier intervention will be carried out if repairs are standard and there is no requirement to order specialised parts.
Moderate	May continue in use until budget is available to undertake the necessary action and/or repairs to form a planned maintenance schedule.
Low	May continue in use, but should be monitored and may still require remedial action. The necessary action should be indicated in the inspection report where appropriate.

References

- PSS – Playground Inspection Software Provider
- Play England
- Register of Play Inspector
- RoSPA
- Safeplay

Diagram 1

