Playground Risk Management Policy

Thurston Parish Council

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1. **INTRODUCTION**

This policy has been prepared to recognise formally the maintenance and inspection regime of Thurston Parish Council's play facilities and the assets within these facilities. The policy will outline the legal responsibilities of the authority and how the Parish Council (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. At all times it is to be recognised that in providing challenging play there will be an identifiable acceptable degree of risk.

The Council aims to offer play spaces which are stimulating, and challenging environments enabling children to explore and develop their abilities. In providing these environments, the Council will manage the level of risk so that users of the play areas and its equipment are not exposed to unacceptable risks and hazards.

2. **LEGAL REQUIREMENTS**

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

- The Health & Safety at Work Act 1974 and appropriate updates
- Occupiers Liability Acts of 1957 and 1984
- Management of Health and Safety at Work Regulations 1999 (Management Regulations)
- Consumer Protection Act 1987
- Children Act 1989
- RIDDOR 2013
- Control of Substances Hazardous to Health Regulation 1992
- Control of Pesticides Regulations 1986
- Environmental Protection Act 1990

The Council and its Officers have a duty to take actions that will ensure the safety of people at work and members of the public who may be affected by the facilities that are provided by the Parish Council within the parish of Thurston.

The Council will be governed by the rules of "reasonable practicability" and will seek to correct major hazards. Minor faults where risk is negligible and potential injury very minor will be monitored unless the fault or hazard changes status.

3. **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

4. **CIVIL LEGISLATION**

In the event of a serious accident claims are based on negligence. Such claims will need to show that the organisation responsible for play failed to take some action which made the accident more likely to happen. The defence will be based on evidence such as records of inspections and maintenance, compliance with the Standards and relevant risk assessments.

This policy will take into account the Council's legal responsibilities and outline a method of inspections and maintenance given the resources available to it.

5. **PLAYGROUND INSPECTION METHODOLOGY**

Thurston Parish Council is responsible for managing and maintaining play equipment at four areas:

- Heath Road Play Area
- Church Road Recreation Ground
- Thedwastre Play Area at New Green Centre
- Basketball hoop and surfacing; Gym Trail and Carousel at New Green Centre

6. **INSPECTION TYPE & FREQUENCY**

Inspection and maintenance activities are carried out to ensure the play areas are safe for people using them. They also ensure timely maintenance to minimise major maintenance issues and replacement costs for equipment. The inspection and frequency rates are currently feasible given resources available to the Council and the current contractual arrangements which are set until March 2022.

a. Visual Inspections - The monthly visual inspection will be carried out by an appointed councillor for each area and will be undertaken using the relevant form covering each site and equipment and are provided by the Clerk. The inspection will include the identification of obvious hazards resulting from use, weather and vandalism, broken parts or bottles, litter, graffiti, equipment misuse. Obvious hazards as described above along with the overall results of the inspections will be fed back to the Clerk / Deputy for appropriate action. All completed forms following review are filed for future reference.
b. Operational Maintenance Inspections - The Council employs an independent contractor to carry out a quarterly visual and maintenance inspection on the equipment located on New Green Centre Open Space. The inspections will identify obvious hazards and defects and other useful information about the condition equipment and site. Such Operational Inspections provide a more detailed inspection to check the operation and stability of all equipment and surfaces especially for wear.
c. Reactive inspections - The Clerk and/or Deputy Clerk will respond to complaints, requests and reports received about play equipment from members of the public.
d. Independent Full Inspections - The annual inspection is carried out by an independent accredited playground inspector. The Play Inspection Company currently perform the annual inspection on behalf of the Council through the procurement offices of Mid Suffolk District Council. The appointment is reviewed annually. The annual inspection report is reported to the Recreational Facilities Committee and assesses:
    - 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.
    - Structural Integrity
    - All inspectors will be trained to RPII Operational inspector's level enabling them to perform an
      operational inspection.

7. **ACCIDENTS, ENQUIRIES AND CLAIMS**

The Council will record all accidents and enquires relating to the play areas and facilities within them. Records will be maintained to ensure that the Council is are able to identify 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 Council to defend itself against claims and be an effective management tool for future improvements.

8. **RESPONSIBILITIES**

The Council, through the Leisure and Environment Committee (Committee), will undertake to:

- Nominate Councillors to be responsible for monthly inspections
- Ensure all types of inspections are taking place, reports are filed and identified actions are undertaken in an appropriate timeframe
- Approve spending on remedial actions
- Delegate authority to the Clerk to undertake actions to resolve urgent/and or high-risk issue where such action is required before the next meeting.

The Clerk and Deputy Clerk will:

- Review the monthly inspection checklist completed by the councillors of the committee.
- File all inspection records.
- Ensure monthly inspection checklists and annual playground inspections are retained for 21 years.
- Instruct the Village Handyman to perform minor maintenance where appropriate.
- Engage a registered playground maintenance company to perform all (other than minor) maintenance repair works.
- Instigate action to resolve urgent and/or high-risk issues identified in inspections where such action is required before the next council meeting.
- Report any issues and actions to the Committee for recommendations to council.

Nominated Councillors will:

- Perform monthly inspections according to the agreed schedule, including an overall site visual inspection.
- Complete inspection reports and file with the Clerk & Deputy Clerk.
- Notify the Clerk or Deputy Clerk as a matter of urgency of any dangerous equipment or in the event the office is closed take steps to isolate the dangerous equipment with temporary barriers or barricades.

Village Handyman will:

- Perform minor remedial works where appropriate.