

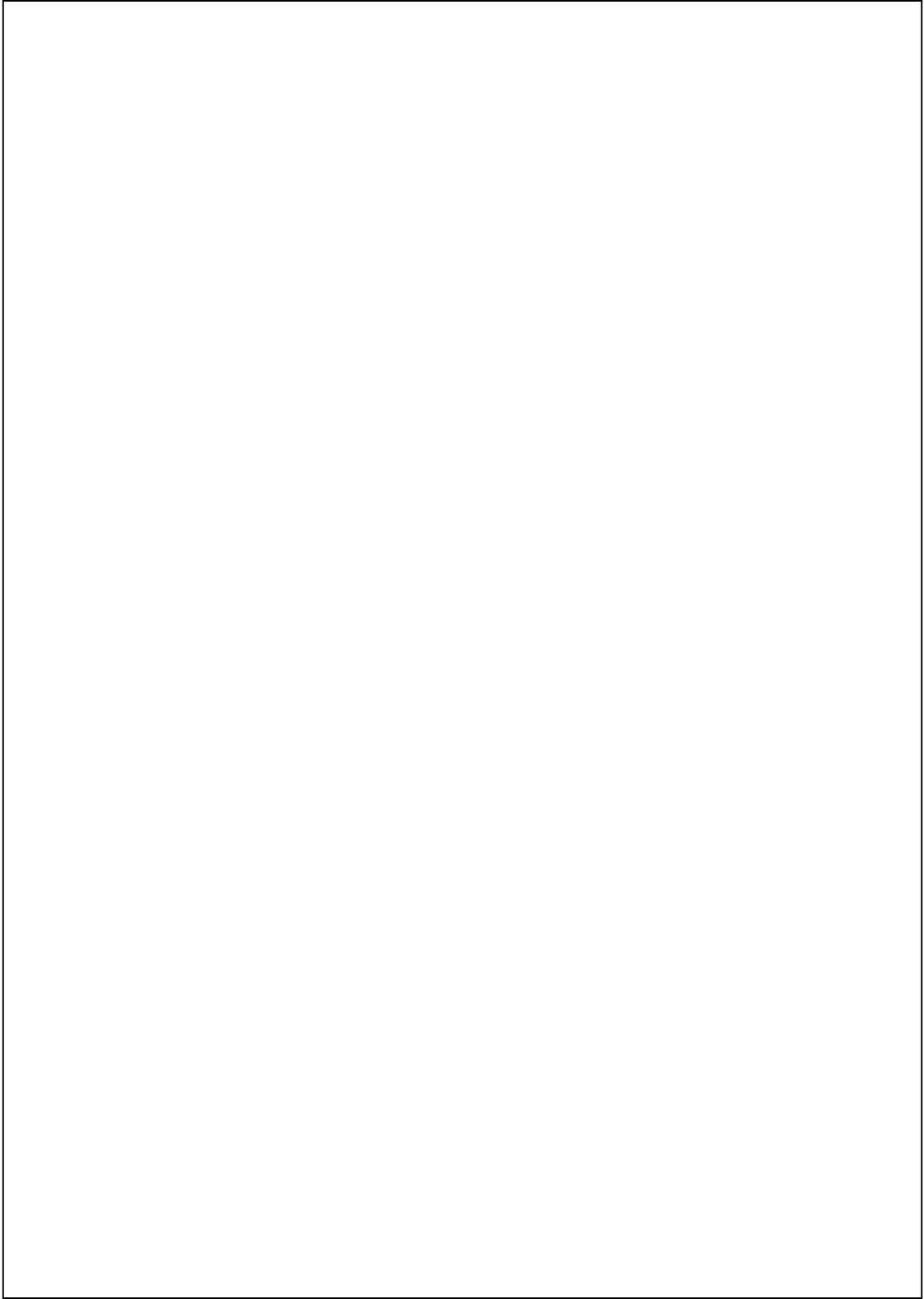


TEST VALLEY
BOROUGH COUNCIL

OUTDOOR PLAY EQUIPMENT IN COMMERCIAL PREMISES



A SAFETY GUIDE FOR RESPONSIBLE PERSONS



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Preface

This guide has been produced by the Hampshire and Isle of Wight Health and Safety Advisory Group. The membership of the group comprises Environmental Health Professionals employed by the various Local Authorities in Hampshire and the Isle of Wight responsible for the enforcement of Health and Safety at Work legislation.

The purpose of the guide is to give practical advice and guidance regarding the safety of play equipment and play areas provided by businesses such as public houses, restaurants, hotels and similar establishments and suggests how proprietors may meet their legal duties under the legislation. It seeks to do this by identifying the key points to consider when introducing play equipment and establishing a proper programme for its inspection, maintenance and repair. Pull out inspection checklists are available for you to use in the centre of this publication.

This booklet is not intended to be a definitive document on the safety and appropriateness of play equipment.



Introduction

There has been a significant increase in the provision of play equipment in public houses, hotels etc over recent years

Unfortunately accident statistics show that there has also been an increase in accidents associated with this type of equipment. This is probably due to a lack of knowledge / experience or poor planning. Numerous prosecutions and civil claims have followed.

Research has identified a number of contributory factors in many cases of injury:

Management

- Incorrect design and layout
- Unsuitable equipment
- Poorly designed equipment
- Incorrect installation
- Poor inspection and maintenance procedures

Users

- Lack of adult supervision
- Misuse of equipment
- Unsuitable clothing
- Weather conditions

This guidance attempts to identify the key points to consider when planning play areas and establishing a proper programme of inspection, maintenance and repair.

Legal Responsibilities

It is essential that businesses providing play facilities are aware of their legal responsibilities in both civil and criminal law.

Powers of Enforcement Officers

Proprietors should adopt a pro-active approach to safety to prevent accidents wherever possible and regard should be paid to appropriate guidance. Environmental Health Professionals are the enforcing authority in respect of this Act in a wide range of premises and have extensive powers to ensure compliance with the law.

During inspections they will be looking for a systematic approach to safety involving documented assessments, inspection and maintenance programmes and staff training etc.

If it is considered that there are serious contraventions, failures or imminent risk of accident then enforcement action may be taken using, improvement notices, prohibition notices or ultimately prosecution.

The Health and Safety at Work Etc. Act 1974

Sections 3 and 4 of this Act place a duty on businesses providing play facilities to ensure, so far as is reasonably practicable, the health and safety of persons frequenting their premises and using the facilities. In the context of this guide this duty extends to ensuring the safe siting, installation and maintenance of play equipment.

Management of Health and Safety at Work Regulations 1999

These regulations require an employer to carry out risk assessments. In simple terms this means identifying hazards and assessing whether they are likely to lead to the death or injury of staff, visitors, customers etc. If there is a significant chance (risk) of death or injury then the employer must take action to eliminate or reduce the risk.

Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR)

These regulations require the notification of certain accidents to an Incident Contact Centre. A guidance leaflet 'RIDDOR Reporting' is available free of charge from your local authority.

Control of Substances Hazardous to Health Regulations 1999

These regulations apply if chemicals are used in play areas for cleaning or disinfection. Further advice can be obtained from your local authority.

The Occupiers Liability Act, 1957 and 1984

These Acts impose a 'Duty of Care' on the occupier of premises to people visiting and using them. The 1957 Act imposes this duty in respect of lawful visitors. Section 2(3)(a) of that Act states that greater care is required where children are concerned and is therefore of particular importance in respect of play areas. The 1984 Act extends a limited duty of care over trespassers by applying a "test of liability"

The Unfair Contract Terms Act 1977

The extent to which civil liability can be avoided is restricted by this Act.

Notices attempting to exempt the proprietor from liability for personal injury or death will not be effective in law.

Notices may, however, prove useful in providing safety or warning messages but it must also be borne in mind that children may not be able to read or understand the signs full significance. Warning signs should conform to the Health and Safety (Safety Signs and Signals) Regulations 1996.

British and European Standards

There is no legal requirement to comply with British and European standards but it is always advisable to follow them. Following the above standards will not necessarily create a safe playground but may prevent accidents from occurring and would form part of a defence in showing that 'all reasonable precautions' had been taken to avoid an offence being committed.

BS EN1176 (Playground Equipment) is published in seven parts and describes methods of testing, construction and performance of equipment.

BS EN 1177 (Impact absorbing playground surfacing) covers testing for impact absorbing surfaces and is used to establish suitability of surfacing.

Location of Play Areas

Factors to consider: -

1. **Access** – For children, pushchairs, the disabled, emergency services etc
2. **Access routes** – Hard surfaces should be non-slip so they are not affected by weather conditions. Avoid the need to cross roads/car parks to reduce risk of injury by traffic. Consider relationship to other buildings or facilities such as toilets.
3. **Supervision** – Providing seating, tables, parasols etc near to the play area encourages guardians to remain in the vicinity and helps improve supervision.
4. **Security** – Is the site protected from vandalism or improper use outside of opening hours? Is the site enclosed to reduce the risk of abduction?
5. **Topology** – The site should be level and have adequate drainage so as to reduce the risk of corrosion to equipment and surfaces.

Layout of Play Areas

Factors to consider: -

1. **Installation** – Ensure equipment is installed in accordance with manufacturers instructions and that clearance distances around equipment are adequate.
2. **Entrance** – Ensure moving equipment is sited away from the entrance to the play area to reduce the risk of collision.
3. **Zones** – Is there a need for definite zones to segregate toddlers from older children to reduce the risk of collision/ bullying? Zones can also be used to separate moving equipment from that which does not move thus reducing the risk of accidental collision.
4. **Routing** – Children will take the most direct route from one piece of equipment to the next; this may create a risk of collision with other children/moving play equipment. Therefore landscaping, fencing etc should be used to direct them safely between equipment. However such features must be safe, e.g. no thorny bushes or fencing with sharp edges. Research shows that natural surroundings induce calm e.g. less stress / conflict.
5. **Emergencies** – The layout should permit adult access to all areas in the event of an emergency e.g. care should be taken with the design and siting of tunnels etc in case children get trapped.

Other factors to be considered

Consideration should be given to the following: -

1. **Maintenance** – Daily, weekly, monthly and annual checks should be carried out. See pages 19 – 23 of this booklet for further details.
2. **Glass** - One of the most frequent checks should be for glass. Glasses, glass bottles etc. should not be allowed in or around the play area as any breakage creates a serious risk of injury and is difficult to clean up. Plastic glasses could be used as an alternative.
3. **Litter** – Litter, like glass, can cause injury. Sufficient bins should therefore be provided together with information signs.
4. **Vandalism** – Vandalism of play equipment is often a problem. Fencing off the area and making access difficult for an intruder is a sensible action. Remember that if an intruder injures himself on the equipment there is a degree of responsibility with the employer.
5. **Poisonous plants** – If you have bushes / trees growing within or close to a play area that produce berries it would be wise to remove them to ensure that children cannot eat the berries as some are poisonous.
6. **Roads** – If possible do not site play areas near roads or car parks. Where this is not possible ensure that areas where children may gain access to roads are adequately fenced with gates that are child proof.
7. **Water – rivers, ponds etc** – Like roads these areas should be adequately fenced to reduce the risk of children falling in. A sign by itself is not adequate.
8. **Animals/dogs (biting)**– Where dogs and other pets are allowed into children’s play areas there will always be the risk of a child

being bitten. You should therefore consider a no dogs/pets policy or all dogs should be kept on a lead rule.

9. **Animal faeces (disease)** – Animal faeces can harbour a wide range of bacteria and viruses etc. that can cause serious illness in adults and children. For this reason the play area should be checked at least each day before opening. Any faeces found must be removed and disposed of correctly.
10. **Ice** – Ice is a slip hazard and should be checked for in the winter months on a daily basis and the appropriate action taken.
11. **Flooding** – The provision of good drainage at the planning stage will help alleviate this problem. If this is not the case then appropriate plans should be considered for removal of water in flooded areas.
12. **Abduction** – There are a number of measures that can be taken to reduce the risk of a child being abducted from a play area.

Supervision of the play area by:-

- Staff/parents
- CCTV cameras
- Fencing
- Lighting

Further guidance is available from the Police

Emergency Procedures

Contingency plans for action in case of emergency should be drawn up and included in your general health and safety file stating what to do in the case of an accident or emergency and should include:

- The person to whom accidents and damage to equipment should be reported
- Location of the nearest first aid box
- The nearest accident and emergency unit

Accident and complaints logs should be maintained and contain full information of each incident. Some accidents may need reporting to the Incident Contact Centre under the Reporting of Injuries, Diseases and Dangerous Occurrence Regulations 1995.

Proprietors should also ensure that they have adequate public liability insurance cover for the facilities provided. Advice on appropriate levels should be sought from insurers.

Equipment

All equipment should have a suitable and sufficient risk assessment carried out on it. Information supplied below is designed to help in the assessment.

To ensure that equipment is safe for use the following information states some of the equipment commonly found, the main hazards and safety requirements that should be in place. The information is based on the BS EN 1176: 1998 Playground Equipment and BS EN 1177: 1998 Impact Absorbing Playground Surfacing

Swings



Hazards

Hazards include falls from heights, being hit by the swing, splinters from a damaged swing, collapse of equipment and being struck by debris.

Safety Requirements: -

- Design for use by seated children
- Two seats per bay – no mix of cradle and flat seat swings
- Cradles should be designed so children do not slip through the frame
- Swings for very young children should be sited separately from older children
- Site away from walkways and other pieces of equipment.

Slides



Hazards

Hazards include falls from heights, burns from hot metal of the chutes, cuts and splinters from poorly maintained equipment and the risk of entrapment.

Safety Requirements

- Maximum angle of chute should be 60° or an average 40°
- Any angle changes over 15° should be curved
- Run outs of 300mm are required if slide is less than 1.5m long.
- Width of slides over 1.5m long should be either less than 700mm or more than 950mm
- Spiral and curved slides should have width less than 700mm

Rotating items

Includes rotating chairs, traditional roundabouts, any overhead rotating items or track driven roundabout.



Hazards

Hazards include risk of falls and possible entrapment.

Safety requirements

- Maximum free height of fall: -1m
- Maximum speed 5m per second
- Hand grips should be provided
- Maximum diameter of 2m
- A minimum ground clearance of 400mm
- Platforms should be circular and enclosed
- All parts should revolve in the same direction
- All moving parts should be enclosed
- Free space horizontal all around of 2m
- Free space vertical sitting 1.5m standing 1.8m

Rocking items

There are several types including, traditional single central pivot up and down seesaw, single spring rocker moving in one or more directions and multi pivot rocking items.



Hazards

Hazards include risk of falls, entrapment and being knocked by the item rocking back and forth.

Safety Requirements

- Gaps to all accessible parts should be under 12mm
- Footrests should be provided where ground clearance is less than 230mm
- Handgrips should be provided for each seat or standing position.
- Foot rests and handgrips should be securely fixed and must not rotate
- There should be at least 1m between equipment

Sand Pits



Hazards

Hazards include the risk of injury from foreign objects such as needles, glass and rubbish. Animal faeces presents a disease hazard.

Safety requirements

- Daily inspection for foreign objects and dog faeces
- Cleaning of the area as necessary
- Replacement of sand to appropriate level as required
- Provision of suitable drainage

Trampoline

(May not be classed as playground equipment but found in many pub playgrounds)



Hazards

Hazards include, falls from height, knocks and possible entrapment.

Safety requirements

- Site bed of trampoline at ground level
- Cover frames with padded cushions
- Ensure frame is not twisted or damaged
- Keep surrounding area clear
- Provide supervision

Safer Surfacing

Hard surfaces are not recommended on playgrounds other than for those areas between play equipment, i.e. paths etc. The types of surfaces selected will depend on the site, cost, the equipment and the amount of maintenance required. Many pub play areas are sited on grass which is not an ideal surface as it can become hard as concrete during dry summers and slippery when wet.

The BS EN 1177 standard recommends the use of impact absorbing surfaces where the fall height from equipment is greater than 600mm.

It is also recommended that the surface extends 1.75 metres beyond the edges of the static equipment and 1.75 metres beyond the maximum travelling distance.

Impact absorbing surfaces include:

- bark chipping to a minimum depth of 300mm
- sand to a minimum depth of 300mm
- pea gravel (rounded not angular), to a minimum depth of 300mm
- purpose made synthetic materials

Remember loose fill surfaces must be regularly cleaned, maintained and replenished.

Inspection and Maintenance

In order to comply with their legal duties proprietors should ensure that they identify hazards promptly and that immediate action is taken to remove them. A comprehensive and documented inspection programme must be in place.

There are three recommended categories of inspection:

- Daily checks
- More detailed checks every 3 months
- A full certified inspection at intervals not exceeding 12 months

All inspections should cover the whole playground and not just the equipment. Facilities such as fencing, gates, seating, and open play areas should also be assessed.

Records of all inspections should be maintained in a register, which ideally should also contain:

- A site plan
- Full equipment details
- Documentation of the planning and development of the site
- Inspection and maintenance requirements and programmes
- Details of responsibility for inspections and action on hazards

Management should regularly review the records. Such records will help demonstrate compliance with the legal responsibility placed upon proprietors.

For major sites, or for companies with many small playgrounds training should be given to staff responsible for the inspections.

There are pull out inspection checklists in the centre of this booklet, however suggested formats for inspection forms follow;

DAILY PLAY AREA CHECKLIST

Date _____ Inspected by _____

| General | ACTIONS |
|---|--|
| Is the seating secure/safe in play area | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Are fences complete and in good repair | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Can gates be closed/secured | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Are footpaths unobstructed | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Is site free from litter, glass and other objects | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Are there any plants or trees obstructing play area | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Is there adequate spacing between equipment | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Surfacing | |
| Is all safety surfacing in good repair | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Are loose fill surfaces at right level | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Swings | |
| Is swing frame secure | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Are the chains hanging correctly | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Are the chains in good condition | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Are eyebolts in place and undamaged | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Are the seats fixed securely | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Are seats undamaged | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Slides | |
| Is the slide secure | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| If there is a risk of falling from height | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Is guarding secure | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Are the steps undamaged | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Is the chute undamaged | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Is it clear of foreign objects | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Is the ground worn away at base of chute | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Roundabouts | |
| Is the underside clear of litter and other debris | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Does it revolve smoothly | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Is it undamaged i.e. timbers | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| If it has a speed governor does this work | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Is there access to moving parts | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Seesaws | |
| Is the seesaw in good repair | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Does the item move smoothly | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Are all safety guards present | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Is there access to moving parts | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Does it strike the ground | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Is the ground worn away beneath equipment | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Are stops present | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |

Are stops in good repair YES NO NA

Climbing frames

Is the frame secure YES NO NA

Are all the bars in place and securely fixed YES NO NA

Are the bolts in good condition YES NO NA

Sand pits

Is the sand free of rubbish, animal faeces etc. YES NO NA

Is cover in good condition YES NO NA

Is the level of sand a minimum of 450mm YES NO NA

Ropes

Are the ropes secure and undamaged YES NO NA

Are all fixings undamaged, tight & have no protruding sharp edges YES NO NA

Multi-play items

Is the equipment secure YES NO NA

Have any pieces been removed (affecting stability) YES NO NA

Are the guard rails present YES NO NA

Trampoline

Is trampoline secure YES NO NA

Is the frame twisted/damaged YES NO NA

Is the bed in good repair YES NO NA

Is the bed secure YES NO NA

Are there any damaged/missing springs YES NO NA

Are the frame pads secure YES NO NA

Animals

Are areas free from animal faeces YES NO NA

Others

Are litter bins secure and undamaged YES NO NA

Are they regularly emptied YES NO NA

Are chemicals and gardening equipment stored safely YES NO NA

Any other comments

3 MONTHLY PLAY AREA CHECKLIST

Date _____ Inspected by _____

ACTIONS

- | | |
|--|--|
| Is paintwork/preservative is in good condition | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Are all parts present and secure | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Are supports firmly fixed | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Is any of the equipment corroded | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Is the safety surface in good and safe condition and securely adhered to the general surface of the playground | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Are all timber components in a good safe condition with no breaks or splintering or cracking sections | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Is there wear on individual chain links, fixing etc | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Are all platforms and footboards in a good condition and secure | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Are ground clearances under equipment correct when stationary and when in motion (400mm) | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Are bearings working smoothly & correctly lubricated | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Are tube plugs, nuts, bolts and other fixings properly secure | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Are handrails/guards in place and secure | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Are all fibre glass & plastic components undamaged | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Are drainage gullies clear, with correct gratings, properly positioned and secure | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |
| Are general surface areas in a good safe condition | YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/> |

Annual Inspections

At intervals not exceeding 12 months all items of equipment and all other aspects pertaining to play activities and security in all children's play areas should be subjected to detailed certified examination by a competent person. These inspections should be recorded and any documents relating to the inspection retained on site (including details of any repairs/work undertaken).

Conclusion

There is no doubt that a lot of work is required in this area. Risk assessment is the key, with the information given in this booklet you should be able to carry out a suitable and sufficient assessment of play areas. With the adoption of the control measures highlighted by your assessment, and regular inspection and maintenance programmes accidents should be kept to a minimum. There are a number of prosecutions where accidents have occurred on play equipment in pubs and proof of adhering to the above will help in the employers defence.

Useful Publications

These publications can be obtained from your Local Authority:-

- RIDDOR Explained
- COSHH a brief guide to the regulations
- First-Aid Needs in your workplace
- Five Steps to Risk Assessment

The Hampshire and Isle of Wight Health and Safety Advisory Group would like to acknowledge the work of Miss J Moore and Winchester City Council in the production of this booklet.