

Playground / Play Areas Risk Management Policy

1. Introduction

This policy has been prepared to recognise formally the maintenance and inspection programme of Kedington Parish Council's play facilities and the assets within these facilities. The policy will outline the legal responsibilities of the Parish Council (the Council) and how it 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
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013
- Control of Substances Hazardous to Health Regulation 1992
- Control of Pesticides Regulations 1986
- Environmental Protection Act 1990

The Council has 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 Council within the parish of Kedington.

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:

- If the equipment is not safe, access by the public should be prevented
- The equipment must be inspected and maintained
- All inspections should be documented and records kept. The Royal Society for the Prevention of Accidents recommends a period of 21 years. They keep all their records for this time.

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

Kedington Parish Council is responsible for managing and maintaining play equipment at Old School Field and Silver Street Park.

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.

In accordance with the Service Level Agreement, West Suffolk Council provides a standardised playground inspection service for the Council that includes:

- a monthly operational inspection conducted by their accredited playground inspector and

- an annual inspection conducted by an independent accredited playground inspector, currently from The Play Inspection Company Ltd.

The Council is provided with a monthly operational inspection report and an annual inspection report and certificate.

The Clerk will respond to complaints, requests and reports received about play equipment from members of the public.

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 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 will undertake to:

- 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.

The Clerk will:

- Review the monthly inspection reports.
- File all inspection reports.
- Ensure monthly inspection reports and annual playground certificates are retained for 21 years.
- Engage a registered playground maintenance company to perform 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 Council.

This Policy was adopted by Kedington Parish Council under agenda item 9.2 at the Parish Council Meeting KPC 129-08 held on 16th January 2024.

Date of next review: January 2026.