

Ref No 5032 (v8)

Playground Equipment

Introduction

The information provided below has been compiled for use by owners and operators of children's playgrounds as well as manufacturers, designers, importers and suppliers of children's playground equipment in order to help them comply with health and safety legislation, including the Health and Safety at Work Act 1974.

Buying New Equipment

Before 1st January 1999, most children's playground equipment was supplied either to BS5696, to the German equivalent standard DIN7926, or to other national standards. European standard EN1176 which replaced BS5696 in 1998, covers toe design and construction requirements of playground equipment. EN1177, which replaced much of BS7188, provides additional guidance on the testing of impact absorbing surfaces. Both EN1176 and EN1177 are available from the British Standards Institution (BSI).

Play providers or others ordering new equipment should specify that it should be supplied, installed and maintained in accordance with EN1176, it being the appropriate standard for all publicly accessible playground equipment including that provided in parks, schools and communal premises such as shopping areas and public houses. It does not apply to equipment in domestic premises such as back gardens (for which EN71 is applicable) or to fairground equipment.

Compliance with legal requirements

All British Standards now include the statement "Compliance with a British Standard does not of itself confer immunity from legal obligations". This statement arose following the consumer protection case of *Balding v Lew Ways Ltd*, which established the principle that a defendant had to show that they had taken all steps to avoid falling below the

standard required. Complying with a relevant standard at the point of installation is not enough, as ongoing maintenance and checks would be required.

Action should be taken to monitor accident trends and the condition of the equipment to establish whether any further measures are necessary. Additionally, you may have to make some modifications or replace certain items or the playground's location may attract more children than others in which case more frequent maintenance may be required as damage may occur more often, thereby increasing the risk of injury.

Existing Equipment

It is important to note that a deviation from the standards does not necessarily constitute a hazardous condition and therefore the necessity to retrofit actions should be considered on the basis of a risk assessment (the latter being a requirement of health and safety legislation in any event).

Maintenance

Particular attention should be paid to the maintenance of equipment. Specific guidance is given on the type and frequency of playground inspections within part 7 of EN1176. These "frequent", "operational" and "annual" inspections when implemented by competent persons as part of the overall safety management system will assist playground operators with their responsibilities.

Operators may need to consider training for their staff to fully implement this. The annual and operational inspection reports should be used to prioritise any remedial work. It is good practice for annual inspections to be undertaken by someone other than the operator and the Register of Play Inspectors International (RPiI) (www.playinspectors.com) has further information on inspection and a list of registered inspectors who demonstrated their competence by examination.

Risk and challenge in playgrounds

Risk taking is certainly an element of play provision. Play provision aims to offer children the opportunity to encounter acceptable risks as part of a stimulating, challenging and controlled learning environment. Equipment designed to the current standards and which is properly maintained should generally provide the desired risk and challenge whilst ensuring freedom from unacceptable risk of life or permanently disabling injury.

This approach is endorsed by the:

Play Safety Forum - A body made up of the National Playing Fields Association

Health & Safety Executive - HSE

Royal Society for the Prevention of Accidents - (ROSPA)

Association of Play Industries

Local Government Association

PLAYLINK

Child Accident Prevention Trust

Children's Play Council

Institute of Leisure and Amenity Management

Kidsactive

National Society for the Prevention of Cruelty to Children - NSPCC

Key Action Steps

- Establish a robust purchasing policy for new play equipment.
- Carry out and record a risk assessment or review any existing assessment of the playground equipment.
- Give consideration to whether the equipment complies with the new standards or not and what action is needed to make it comply.
- Establish a regular inspection and maintenance regime for play areas.
- Take into account the typical usage of the equipment and likely damage or wear and tear from previous inspection and maintenance records.

- Make reference to accident records and reports including incidents with the potential for a more serious outcome.
- Develop a prioritised action plan to address any deficiencies identified by assessments.

Reference Documents

- Guide to European Playground Standards – available from www.rospa.com
- Assessing Risk on Children's Playgrounds – available from www.rospa.com
- Routine inspection of Children's Playgrounds- available from www.rospa.com
- The HSE's Sector Information Minute SIM 05/2004/12 available from hse.gov.uk
- Five steps to Risk Assessment IND(G)163 (rev 1) HSE 1998.
- The Management of Health and Safety at Work Regulations, 1999, SI 1999/3242, HSE Books 1999.

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Aviva Risk Management Solutions operate a Risk Helpline during normal business hours for the cost of a local telephone call. The telephone number is:

0845 366 66 66

www.aviva.co.uk/risksolutions