

Playground Inspections

Introduction

1. Over the past several years Corfe Castle Parish Council (CCPC) has carried out monthly playground inspections to check the serviceability of all equipment and fittings in the playground. The frequency of inspections increased during British Summer Time to bi-weekly due to the increased use of the playground. Additionally, an annual inspection takes place, and it is carried out by an external inspection company.

Aim

2. The aim of this report is to state the current CCPC inspection regime, the rules and legislation associated with playgrounds, and then to suggest alternative solutions to the regime.

Current Inspection Provider

3. The current inspection company, The Play Inspection Company (PIC), provides a detailed report which identifies repairs, and states in very general terms, how they should be remedied. The inspector will not allow the Clerk or the Caretaker to be present during the inspection. The format of the report is difficult to interpret, so consequently the Clerk and Caretaker often have problems working out which spare parts are required and how to carry out the repairs. This is often a confusing and time-consuming process, and more recently several of the problems identified in reports have not been accurate.

Legislation Background

4. The rules and regulations associated with playground inspections are not clear. There is no legislation written specifically for playground equipment or inspections. However, the Health and Safety at Work Act 1974 section 2 & 3. (Refer to Annex A) is commonly used because it provides guidance on how organisations should protect their employees and “persons other than their employees”. It states that, “every employer is to, as far as reasonably practical, ensure that persons not in their employment may not be exposed to risks to their health and safety”. As there is no specific legislation relating to standards, or how often inspections are carried out, best practice, case law, and insurance requirements come into effect.

Case Law:

5. Very few playground area injuries result in legal action. When they do, the main reason is usually when an item of equipment has failed and caused the injury, rather than an injury having occurred during play. Often when this is the case an out of court settlement is made. If a case does go to court the playground owner is required to produce their playground inspection reports. The frequency of inspections and whether they are deemed to be sufficient will then be decided on a case by case basis. There is no mandated frequency of inspections, but the judge will refer to the Health and Safety at Work Act 1974 section 3 as a guide.

Best Practice

6. The Register of Play Inspectors International (RPII) is the official UK body for examining, accrediting and certificating inflatable, indoor and outdoor play inspectors. The diversity of equipment used in play areas make it impractical to write specific maintenance rules for each piece. Instead, the RPII was established to ensure that play area inspectors are sufficiently trained to recognise faults in play areas and report them. This provides a level of safety both for the protection of the children using the equipment and to mitigate risk for the councils, schools and organisations in charge of these play areas. The RPII works closely with the British Standards Institute (BSI), and their recommendation is highly regarded by law professionals. The RPII do not publish any information on the frequency for playground inspections, however during an informal conversation with an RPII director it was stated that they recommend a minimum of an Annual Inspection.

RPII Inspection Guidance

7. The RPII provides guidance on three levels of inspection, listed below. CCPC currently carries out Routine inspections, which are performed monthly by the Caretaker, and Annual inspections performed by PIC.

- a. Annual Inspection: Annual and Post Installation inspections will take into consideration compliance with current standards, and defects related to wear and vandalism.
- b. Operational Inspection: Operational inspections only take into consideration defects related to cleanliness, equipment ground clearances, ground surface finishes, exposed foundations, sharp edges, missing parts, excessive wear (of moving parts) structural integrity, wear and vandalism.
- c. Routine Inspection: Routine visual inspections relate only to the most obvious defects such as broken or missing parts, litter, vandalism and issues created by severe weather conditions.

Further information on the RPII Inspection Methodology, refer to Annex B.

Insurance

8. Each insurance company has different requirements for the frequency at which a playground inspection must be carried out to be covered by their insurance policy. Corfe Castle Parish Council have recently changed insurance companies and the new policy states:

- a. In respect of all playground equipment and other amusement devices the Insured must inspect all playground and amusement devices at least every seven days.
- b. Any damage or defect must be rectified as soon as possible. Defective equipment which is a risk to health and safety must be taken out of use immediately and repaired as soon as possible.
- c. Erect suitable signs detailing any information that is necessary for the safe use of the equipment device or facility and clearly stating any restrictions on its use.
- d. Determine where supervision is necessary and ensure that it is provided whenever the play equipment device or facilities are in use."

Future Inspection Schedule

9. To comply with our insurance policy, we should be inspecting the playground equipment weekly. However, the policy does not stipulate what type of weekly inspection must be carried out or who has to do it. Therefore, the following three options have been identified.

- a. Instruct a contractor to carry out **weekly** inspections. This is a very expensive option given the travel cost associated with our rural location, and inspections cost approximately £45 per week.
- b. Carry on with our current procedure of the Caretaker carrying out inspections, but with increased frequency to **weekly** inspections. This is the most cost-effective way option, however the Caretaker has no professional training which could possibly be detrimental to the council if any legal action was taken following an accident.
- c. Carry on with our current procedure of the Caretaker carrying out inspections but increase the frequency to **weekly** and enable him to become an **RPII Routine Inspector**. This would cost approximately £375 for a one-day course and a practical exam. Considering the council insurance requirement, and the Health and Safety at Work Act 1974, this would be the most comprehensive option.

10. To comply with “Best Practice” have quarterly checks carried out by an accredited approved RPII Operational Inspector. The following three options have been identified.

a. Instruct an RPII **Operational** Inspector to carry out **quarterly** inspections. Some RPII contractors will carry out minor repairs, i.e., replace corroded shackles within the inspection price.

b. Enable the Caretaker or a Council member to become a qualified RPII **Operational** Inspector. This would cost approximately £615 for a two-day course that includes a theory, and practical exam. This longer-term option could result in a reduction in **quarterly** inspection fees. However, the disadvantages are, the Caretaker’s time required to carry out the inspection and the Clerk’s time for administrative support for purchasing replacement parts.

11. To comply with “Best Practice” have an **annual** check carried out by an accredited approved RPII **Annual** Inspector. Very few companies are listed as RRPI Annual Inspectors, and ever fewer in the Dorset area. Any change from our current provider, PIC would probably be more expensive due to travel costs.

RPII Inspection Providers

12. Four contractors have been identified that are able to provide one, or all the various levels of inspection. Contractor 2 works for another Parish Council and has a very good reputation for working with them to try and find the most cost-effective solution to problems. Cost for all the various levels of inspection are listed below.

	Inspection	Price
Contractor 1	3 x Quarterly + 1 x Annual	TBC
Contractor 2	Quarterly	£45
Contractor 3	1/2 Yearly	£269
Contractor 4	Annual	TBC

All contractors are registered with the RPII, Contractors 1 & 4 are registered as *Annual & Operational* Inspectors. Contractors 2 & 3 are registered as *Operational* Inspectors.

Recommendations:

13. The Caretaker or a Council member to be trained as an RPII *Routine* Inspector (Ideally 2 trained to cover holiday and sickness leave) and then carry out weekly inspections of the playground equipment and area.

14. In conjunction with recommendation 13 - Instruct Contractor 2 to carry out **quarterly** inspections.

15. In conjunction with recommendation 13 & 14 – retain Contractor 4 to carry out **annual** Inspections.

Annex A

Health and Safety at Work Act 1974 Section 2 & 3

Section 2 - General duties of employers to their employees.

(1) It shall be the duty of every employer to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his employees.

(2) Without prejudice to the generality of an employer's duty under the preceding subsection, the matters to which that duty extends include in particular—

- (a) the provision and maintenance of plant and systems of work that are, so far as is reasonably practicable, safe and without risks to health;
- (b) arrangements for ensuring, so far as is reasonably practicable, safety and absence of risks to health in connection with the use, handling, storage and transport of articles and substances;
- (c) the provision of such information, instruction, training and supervision as is necessary to ensure, so far as is reasonably practicable, the health and safety at work of his employees;
- (d) so far as is reasonably practicable as regards any place of work under the employer's control, the maintenance of it in a condition that is safe and without risks to health and the provision and maintenance of means of access to and egress from it that are safe and without such risks;
- (e) the provision and maintenance of a working environment for his employees that is, so far as is reasonably practicable, safe, without risks to health, and adequate as regards facilities and arrangements for their welfare at work.

Section 3 - General duties of employers and self-employed to persons other than their employees.

(1) It shall be the duty of every employer to conduct his undertaking in such a way as to ensure, so far as is reasonably practicable, that persons not in his employment who may be affected thereby are not thereby exposed to risks to their health or safety.

(2) It shall be the duty of every self-employed person who conducts an undertaking of a prescribed description to conduct the undertaking in such a way as to ensure, so far as is reasonably practicable, that he and other persons (not being his employees) who may be affected thereby are not thereby exposed to risks to their health or safety.

(2A) A description of undertaking included in regulations under subsection (2) may be framed by reference to;

- (a) the type of activities carried out by the undertaking, where those activities are carried out or any other feature of the undertaking;
- (b) whether persons who may be affected by the conduct of the undertaking, other than the self-employed person (or his employees), may thereby be exposed to risks to their health or safety.

Annex B

Inspection Scope for RPII Inspection Methodology (From the Play Inspection Company)

1. This document outlines the RPII scope for inspections undertaken by the Inspectors listed as Annual Inspectors on the RPII Register of Inspectors when undertaking Indoor Annual, Outdoor Annual, Outdoor Operational and Outdoor Routine inspections.
2. Inspections are undertaken with reference to the standards listed in this preamble only; where no date for the standard is given it will be the standard that is current at the time of inspection except where overlap periods are granted by the standards committee when standards are updated. The information contained in reports is provided to assist the owner/operator in fulfilling their responsibilities as detailed in the relevant standard. Other standards referenced within the listed standards do not form part of the inspection, unless they are also explicitly listed here.
3. The following standards are relevant to all installations of equipment that are publicly accessible to users; this includes public parks, pay and play parks, schools, nurseries, public houses, holiday parks, indoor play centres, farm parks etc. All equipment used or employed in publicly accessible areas should meet with the requirements of the relevant standards (listed below):
 - a. BS EN 1176 Parts 1, 2, 3, 4, 5, 6, 10 & 11 Playground equipment intended for permanent installation outdoors & indoors.
 - b. BS EN 1176 Part 7 - 'Guidance on Installation, Inspection, Maintenance and Operation' (this document gives guidance to the owners/operators of the facility on the installation, inspection, maintenance, and operation of playground equipment, excluding ancillary items).
4. In the United Kingdom the National Foreword forms an important part to the understanding and implementation of the recommendations set out in this document. It clarifies the application of the document within the UK as best practice guidance, as the document has been used since its initial publication. Therefore, in the UK this standard (BS EN 1176 – Part 7) contains no requirements and needs to be read and implemented as guidance, with the use of the term 'shall' therefore becoming a recommendation, as in the term 'should'.
5. Domestic play equipment falls outside of the scope of BS EN 1176 and has its own standards (BS EN 71 series – Safety of Toys). Where domestic equipment can be identified this will be acknowledged in the report but any comments concerning compliance will follow the requirements and recommendations of BS EN 1176.
6. When water play items, including spray parks, are inspected any comments concerning compliance within the inspection will refer to BS EN 1176. We have not assessed these against the requirements of BS EN 17232 (Water play equipment and features).
7. Other equipment that is not clearly identified as unsupervised or domestic (natural play, self-build equipment etc.) will be assessed for compliance with the relevant standard listed below:
 - c. BS EN 15312 Free access multi-sports equipment
 - d. BS EN 14974 Skateparks
 - e. BS EN 16630 Permanently installed outdoor fitness equipment
 - f. BS EN 16899 Parkour equipment (plus RPII/API guidance notes)

Annual and Post Installation inspections will take into consideration compliance with these current standards, and defects related to wear and vandalism. Items not listed in the report have not been included in the inspection. The inspection will cover the playground equipment and the active area (that area which is obviously part of the playground), nominally up to three metres around, the fence line if closer, or other areas as agreed.

8. Operational inspections only take into consideration defects related to cleanliness, equipment ground clearances, ground surface finishes, exposed foundations, sharp edges, missing parts, excessive wear (of moving parts) structural integrity, wear and vandalism.
9. Routine visual inspections relate only to the most obvious defects such as broken or missing parts, litter, vandalism and issues created by severe weather conditions (the intention is to identify hazards created by storm damage).
10. All inspections are non-dismantling, non-destructive and do not include any structural, toxicology or impact assessments defined in the standard; however, the inspector will undertake a manual test for stability and if equipment fails under manual load, or any other hazard is identified as an unacceptable risk, the owner/operator will be notified as soon as practicably possible.
11. The inspector will access all reasonably accessible equipment and will assess all reasonably accessible parts above the standing surface. Where it is not possible to access parts of the equipment without employing an alternative means of access the report will record the action required by the owner/operator to ensure the continued safe use of the equipment.
12. Ancillary equipment will be assessed using the inspector's knowledge and experience of the standards named in this document. (Note: Ancillary items are not included in the specific equipment-type parts of the EN 1176 series; hence they are not assessed for compliance with EN 1176 series and are subject to a general safety assessment).
13. The owner/operator is responsible for the overall safety of the equipment and area.
14. The inspector will not undertake any of the following works unless specifically agreed in writing at the time of order:

Checking the depth and underlying structural integrity of any surface areas and/or carrying out any testing of the impact attenuating properties of any surfaces; the identification of any corrosion, rot or other deterioration in any apparatus or equipment other than by an external inspection; the inspection of any equipment (or part thereof) that is beneath the playing surface (loose-fill materials may be moved to expose foundations); tightening any bolts, hinges or other fixing devices on any apparatus or equipment; assessing or inspecting any electrical installations contained on any site and/or apparatus and/or equipment; assessing or inspecting any water supplies and/or water features and/or any associated computerised systems (including carrying out any programming); where planting or trees are mentioned in the report no assessments of toxicity, suitability or condition are undertaken – the owner/operator should have suitable inspections provided by a competent person.
15. The owner/operator should have a 'design risk assessment' provided by the manufacturer/designer of the area for the equipment and location in which the facility is installed.
16. The operator is responsible for managing risks of their provision and is required by law to carry out a 'suitable and sufficient assessment' of the risks associated with a site or activity. This inspection shall be considered as contributing to the operator's discharge of this responsibility.
17. The details contained within the report are a snapshot of the condition at the time of inspection only and subsequent events may affect the condition of the facility. Suggested remedial actions are based on the knowledge and experience of the inspector and/or that of the inspection company. The owner/operator should always seek the advice of the manufacturer or a competent person when undertaking repairs and/or modifications to equipment.