

# Payhembury Parish Council

## Playground Inspection and Maintenance Policy

### Table of Contents

1. Introduction .....	1
2. Legislation .....	1
2.1. Legal Requirements .....	1
2.2. Industry Standards and Guidance.....	2
2.3. Civil Legislation.....	2
3. Responsibilities .....	2
3.1. Parish Council.....	2
3.2. Clerk .....	2
3.3. Playground Monitor .....	3
4. Inspections .....	3
5. Maintenance .....	3
6. Risk Management .....	3
7. Accidents, Enquiries and Claims .....	4
8. Records.....	4

## 1. Introduction

- 1.1. Payhembury Parish Council is responsible for managing and maintaining the playing fields adjacent to the church, in particular the play equipment. The playing fields are leased from the Diocese of Exeter.
- 1.2. This policy outlines the legal responsibilities of the Parish Council, with regard to the playing fields, and how Payhembury Parish Council will meet those responsibilities through a system of inspection, maintenance and assessing risk and responses to faults and risks. Playgrounds, by their very nature, should provide a degree of risk and challenge to the users. This policy will therefore summarise Payhembury Parish Council's objectives in providing challenging play whilst identifying an acceptable degree of risk.

## 2. Legislation

### 2.1. Legal Requirements

- 2.1.1. There is no specific legislation on play safety. However, the key legislation is:
  - Health & Safety at Work Act 1974 and appropriate updates
  - Occupiers Liability Act 1957 and 1984
  - Management of Health and Safety at Work Regulations 1992, 1994 & 1999 (Management Regulations)
  - Personal Protective Equipment at Work Regulations 1992
  - Consumer Protection Act 1987

# Payhembury Parish Council

## Playground Inspection and Maintenance Policy

- Children Act 1989
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013
- Control of Substances Hazardous to Health Regulation 1992
- Control of Pesticides Regulations 1986
- Environmental Protection Act 1990

2.1.2. Payhembury Parish Council has a duty to take actions to ensure the safety of people at work and members of the public who may be affected by the facilities provided by the Parish Council. It is governed by the test of 'reasonable practicability'. In other words, it is reasonable to correct major hazards; it is unreasonable to spend considerable resources on minor faults where risk is negligible and potential injury very minor

### 2.2. Industry Standards and Guidance

2.2.1. These standards and Safety Guidelines are not a legal requirement but are considered to be good professional working practice:

- EN1176 – Playground Equipment – this 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

### 2.3. Civil Legislation

2.3.1. In the event of a serious accident claims are based on negligence: that is, the organisation responsible for providing the play equipment 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.

## 3. Responsibilities

### 3.1. Parish Council

- Appoint a person to be responsible for weekly inspections (Playground Monitor).
- Ensure the Playground Monitor is appropriately trained.
- Ensure all types of inspections are taking place (see section 4), 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.

### 3.2. Clerk

- Review the weekly inspection checklists completed by the Playground Monitor.
- File all inspection records.
- Ensure weekly inspection checklists and annual playground inspections are retained for 21 years.
- Engage a registered playground maintenance company to perform all (other than minor) maintenance repair works.

# Payhembury Parish Council

## Playground Inspection and Maintenance Policy

- 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 Parish Council.

### 3.3. Playground Monitor

- Perform weekly inspections according to the agreed schedule, including an overall site visual inspection.
- Complete inspection reports and file with the Clerk.
- Notify the Clerk as a matter of urgency of any dangerous equipment and take steps to isolate the dangerous equipment with temporary barriers or barricades.
- Attend training commensurate with the role.

## 4. Inspections

- 4.1. Visual and maintenance inspections are carried out weekly and an independent full inspection is carried out annually. Reactive inspections based on complaints, requests or reports received by the Parish Council are also carried out. Inspection and maintenance activities are carried out to ensure that the play area is safe for people to use. They also ensure timely maintenance to minimise major maintenance issues and replacement costs for equipment.
- 4.2. Visual and Maintenance Inspections: The Parish Council will appoint a Playground Monitor to carry out weekly visual and maintenance inspections. The inspections will identify obvious hazards and defects and other useful information about the condition equipment and site.
- 4.3. Reactive Inspections: The Clerk will respond to complaints, requests and reports received about play equipment from members of the public.
- 4.4. Independent Full Inspections: The annual inspection is carried out by an independent accredited playground inspector. The annual inspection report will be reviewed by the Parish Council, together with the playing fields Risk Assessment.

## 5. Maintenance

- 5.1. Payhembury Parish Council will arrange for routine maintenance activities, such as grass cutting, to be done on a regular basis. Contracts awarded to a third party for this work will be reviewed annually.
- 5.2. Payhembury Parish Council will carry out, or arrange to be carried out, maintenance activities identified by inspections in accordance with the appropriate assessed risk rating.

## 6. Risk Management

- 6.1. Payhembury Parish Council will aim 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 children are not exposed to unacceptable risks and hazards.

# Payhembury Parish Council

## Playground Inspection and Maintenance Policy

- 6.2. Risk assessment - The level of risk will be assessed by the Clerk, Councillor or independent inspector with sufficient knowledge and in accordance with the Parish Council's Risk Management Policy.
- 6.3. Payhembury Parish Council will review the playing fields Risk Assessment at least annually and whenever there are any material changes to the play equipment in the playground.

### 7. Accidents, Enquiries and Claims

- 7.1. Payhembury Parish Council will record all accidents, enquiries and claims relating to the playing fields and facilities within them. The Parish Council will ensure records are able to identify a clear chain of information from the inspection, the associated risk, details of work 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. Records

- 8.1. Payhembury Parish Council will ensure the following sets of records relevant to the inspection, maintenance and risk management of the playing fields are maintained and retained:
  - Annual inspections of play equipment – provided by independent assessor
  - Playing fields weekly inspection reports
  - Playing fields maintenance log
  - Playing Fields Risk Assessment
  - Parish Council Accidents, Enquiries and Claims book