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Target Audience:  
FOD Inspectors

## MANAGING RISK IN PLAY PROVISION: A POSITION STATEMENT

This SIM alerts inspectors to the existence of '*Managing Risk in Play Provision: A Position Statement*' which is published by the Play Safety Forum.

### INTRODUCTION

1 Inspectors will wish to know about the statement published by the Play Safety Forum entitled '*Managing Risk in Play Provision: A Position Statement*'. The statement is given at the [annex](#).

### BACKGROUND

2 The Play Safety Forum is an independent body which brings together the main national organisations with an interest in safety and children's play (see [Appendix 1](#) of the statement for a list of members). Though not presently full members of the Play Safety Forum, representatives of the play industry in Scotland and Wales are able to attend as observers. The Forum is sponsored by the Department of Culture, Media and Sport. One of the tasks of the forum was to produce a statement on risk in play.

### STATEMENT

3 The statement is self-explanatory and it is consistent with the Sector's view and position on risk management in play provision. The Sector was involved in its production.

4 The statement will be publicised by the Play Safety Forum in the near future.

### ACTION BY INSPECTORS

5 There is no need for inspectors to take any action because of the publication of the statement but it will serve as an aid in discussions with play providers or others with an interest in play, particularly as an input into risk versus benefit decisions. Additionally, it may well be of use in responding to enquiries about risk management in play or when investigating accidents or complaints.

### INFORMATION

6 Enquiries about the content of the statement itself should be directed to the Play Safety Forum, National Children's Bureau, 8 Wakely Street, London, EC1V 7QE (Tel: 0207 843

6000). General enquiries about safety in childrens playgrounds should be addressed to the Food and Entertainment Sector, Entertainment Section at the Glasgow Office (Tel 521-3045, email Area 21, FOD Entertainment Section) in the first instance.

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Annex  
(para 1)

MANAGING RISK IN PLAY PROVISION: A POSITION STATEMENT

"We consider *Managing Risk in Play Provision* to be an important document that will contribute to the debate on the provision of children's play. It articulates the balance between the benefit and the need for children to play against the duty of play providers to provide safe play. We must not lose sight of the important developmental role of play for children in the pursuit of the unachievable goal of absolute safety. It makes clear that the safety must be considered at all stages of play provision but that, inevitably, there will be risk of injury when children play, as there is risk of injury in life generally. The important message is though that there must be freedom from unacceptable risk of life-threatening or permanently disabling injury in play."

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### The Play Safety Forum

The Play Safety Forum brings together the main national organisations in England with an interest in safety and children's play (see [Appendix 1](#) for a list of members). Members include providers, regulatory bodies, expert agencies and insurers. The aim of the Play Safety Forum is to build consensus on issues around risk and safety in relation to play provision. It is an independent body hosted by the Children's Play Council at the invitation of the Department for Culture, Media and Sport.

### Introductory remarks

#### *Intended audience and scope*

- This statement is written for those involved in play provision of any kind (for example play areas, playgrounds, adventure playgrounds, play centres and holiday playschemes). These include local authorities, voluntary organisations, play equipment manufacturers and inspection agencies.
- The statement has equal relevance to children and young people of all ages from 0 to 18, and it uses the term 'children' to cover the whole age range.
- The statement has relevance to other settings and environments in which children play, such as childcare provision, schools, parks and public open spaces.
- The statement will also be of interest to those involved in insurance and litigation in relation to play provision.
- The statement focuses on physical injuries resulting from accidents. However the overall approach, namely that a balance should be struck between risks and benefits, is also relevant to agencies concerned with other issues such as the personal safety of children.
- The statement is in two forms: a summary and a full statement. The summary aims to state the key points of the full statement in a more accessible form, for a non-

technical audience.

### *Purpose*

There is growing concern about how safety is being addressed in children's play provision. Fear of litigation is leading many play providers to focus on minimising the risk of injury at the expense of other more fundamental objectives. The effect is to stop children from enjoying a healthy range of play opportunities, limiting their enjoyment and causing potentially damaging consequences for their development.

This approach ignores clear evidence that playing in play provision is a comparatively low risk activity for children. Of the two million or so childhood accident cases treated by hospitals each year, less than 2 per cent involve playground equipment. Participation in sports like soccer, widely acknowledged as 'good' for a child's development, involves a greater risk of injury than visiting a playground. Fatalities on playgrounds are very rare - about one per three or four years on average. This compares with, for instance, over 100 child pedestrian fatalities a year and over 500 accidental fatalities overall.

In response to this situation, and in order to ensure that children's needs and wishes are properly acknowledged, the Play Safety Forum has prepared this statement.

### *How this statement should be used*

All those involved in play provision should give close and explicit consideration to the issues raised by this statement. This would most effectively done through reviewing policies and procedures, preferably as part of an overall review of policies on play. Providers are encouraged to use the statement to stimulate discussion and debate amongst key stakeholders when reviewing and developing their policies and procedures. Providers may want to explicitly adopt the statement, in full or summary form, in policy statements.

### **Summary statement**

Children need and want to take risks when they play. Play provision aims to respond to these needs and wishes by offering children stimulating, challenging environments for exploring and developing their abilities. In doing this, play provision aims to manage the level of risk so that children are not exposed to unacceptable risks of death or serious injury.

### **Full statement**

#### *Acceptable and unacceptable risk*

In any human activity, there is an element of risk. Three factors are central to determining whether or not the level of risk is acceptable or tolerable:

- the likelihood of coming to harm;
- the severity of that harm;
- the benefits, rewards or outcomes of the activity.

Judgements about the acceptability of risk are made on the basis of a risk assessment. Risk assessment and management are not mechanistic processes. They crucially involve

making judgements about acceptability based on an understanding of the balance between risks and benefits. Even where there is a risk of fatal or permanent disabling injury, this risk may sometimes be tolerable. For instance, going paddling at the seaside involves an unavoidable risk of fatal injury, but this risk is tolerable for most people because in most circumstances the likelihood of coming to harm is very low and there are obvious benefits. Social and psychological factors are also important in risk assessment. Risks that are acceptable in one community may be unacceptable in another, and policies should take this into account.

Almost any environment contains hazards or sources of harm. In many cases the existence of hazards can be justified, perhaps because they are impossible to remove or perhaps because their removal would have undesirable consequences or be too costly. Where the existence of a hazard can be justified, measures should be in place to manage it. In a controlled environment such as a workplace or a playground, those responsible are required by law to identify, and make informed judgements about, the hazards to which people are exposed. They must take steps to ensure that the risks are managed and controlled so far as is reasonably practicable while allowing the potential benefits to be delivered.

### *Children and risk*

All children both need and want to take risks in order to explore limits, venture into new experiences and develop their capacities, from a very young age and from their earliest play experiences. Children would never learn to walk, climb stairs or ride a bicycle unless they were strongly motivated to respond to challenges involving a risk of injury. Children with disabilities have an equal if not greater need for opportunities to take risks, since they may be denied the freedom of choice enjoyed by their non-disabled peers.

It is the job of all those responsible for children at play to assess and manage the level of risk, so that children are given the chance to stretch themselves, test and develop their abilities without exposing them to unacceptable risks. This is part of a wider adult social responsibility to children. If we do not provide controlled opportunities for children to encounter and manage risk then they may be denied the chance to learn these skills. They may also be more likely to choose to play in uncontrolled environments where the risks are greater.

Almost by definition, any injury is distressing for children and those who care for them. But exposure to the risk of injury, and experience of actual minor injuries, is a universal part of childhood. Such experiences also have a positive role in child development. When children sustain or witness injuries they gain direct experience of the consequences of their actions and choices, and through this an understanding of the extent of their abilities and competencies. However, children deserve protection against fatal or permanently disabling injuries, to a greater degree than adults.

Children have a range of physical competencies and abilities, including a growing ability to assess and manage risk which adults arguably tend to underestimate. However children typically have less experience than adults of assessing the broad range of risks and hazards that they may encounter. Hence it is important to give them appropriate controlled environments in which they can learn about risk.

### *Play provision and risk*

Risk-taking is an essential feature of play provision, and of all environments in which children legitimately spend time at play. Play provision aims to offer children the chance to

encounter acceptable risks as part of a stimulating, challenging and controlled learning environment. In the words of the play sector publication *Best Play*, play provision should aim to "manage the balance between the need to offer risk and the need to keep children safe from harm". While the same principles of safety management can be applied both to workplaces generally and play provision, the balance between safety and benefits is likely to be different in the two environments. In play provision exposure to some risk is actually a benefit: it satisfies a basic human need and gives children the chance to learn about the real consequences of risk taking.

Hence it is acceptable that in play provision children may be exposed to the risk of minor and easily-healed injuries such as bruises, grazes or sprains. On the other hand, play provision should not expose children to significant likelihood of permanent disability or life-threatening injuries. However it may on occasions be unavoidable that play provision exposes children to the risk – the very low risk - of serious injury or even death. But this would only be tolerable in the following conditions:

- the likelihood were extremely low;
- the hazards were clear to users;
- there were obvious benefits;
- further reduction of the risk would remove the benefits;
- there were no reasonably practicable ways to manage the risk.

For example a paddling pool, even if shallow, involves a very low but irremovable risk of drowning (even with parental supervision) but this is normally tolerable. The likelihood is typically extremely low, the hazard is readily apparent, children benefit through their enjoyment and through the learning experience of water play and finally, further reduction or management of the risk is not practicable without taking away the benefits.

Providers should strike a balance between the risks and the benefits. This should be done on the basis of a risk assessment. Crucially, this risk assessment should involve a risk-benefit trade off between safety and other goals, which should be spelt out in the provider's policy. Given children's appetite for risk-taking, one of the factors that should be considered is the likelihood that children will seek out risks elsewhere, in environments that are not controlled or designed for them, if play provision is not challenging enough. Another factor is the learning that can take place when children are exposed to, and have to learn to deal with, environmental hazards. Play provision is uniquely placed to offer children the chance to learn about risk in an environment designed for that purpose, and thus to help children equip themselves to deal with similar hazards in the wider world.

### *Good practice*

Clear, well-understood policies, together with procedures that put these policies into practice, are the key to good practice in risk management in play provision. Policies should state clearly the overall objectives. Procedures, including risk assessment, should state how these policies are put into practice, giving guidance but also recognising the need for professional judgement in setting the balance between safety and other goals. Such judgements are clearly multidisciplinary in nature. For example, while they may contain an engineering dimension, of equal or greater importance is likely to be a knowledge of child development and play itself. There are a number of sources of authoritative, relevant guidance on good practice.

One valuable approach to risk management in play provision is to make the risks as apparent as possible to children. This means designing spaces where the risk of injury arises from hazards that children can readily appreciate (such as heights), and where hazards that children may not appreciate (such as equipment that can trap heads) are absent. This is particularly useful in unsupervised settings, where the design of the equipment and the overall space has to do most of the work in achieving a balanced approach to risk.

### *Conclusion*

Safety in play provision is not absolute and cannot be addressed in isolation. Play provision is first and foremost for children, and if it is not exciting and attractive to them, then it will fail, no matter how 'safe' it is. Designers, managers and providers will need to reach compromises in meeting these sometimes conflicting goals. These compromises are a matter of judgement, not of mechanistic assessment. The judgements should be based on both social attitudes and on broadly-based expert opinion informed by current best practice. They should be firmly rooted in objectives concerned with children's enjoyment and benefit. And they should take into account the concerns of parents. Ultimately the basis of these judgements should be made clear in the policies of the play provider as written down in policy documents. These policies should in turn be understood and embodied in practice by all the key stakeholders.

### **References**

Ball D (2002) *Playgrounds - risks, benefits and choices*, Contract Research Report No. 426/2002, Health and Safety Executive.

British Standards Institute BS EN 1176-1:1998 *Playground equipment – Part 1*, British Standards Institute.

National Playing Fields Association, Children's Play Council and PLAYLINK 2000, *Best Play: What play provision should do for children*, National Playing Fields Association (available from Children's Play Council).

### **Appendix 1: Play Safety Forum members**

Association of Play Industries  
 Child Accident Prevention Trust  
 Children's Play Council  
 Health and Safety Executive  
 Institute for Sport and Recreation Management  
 Institute of Leisure and Amenity Management  
 Kidsactive  
 Local Government Association  
 National Early Years Network  
 National Playing Fields Association  
 National Family and Parenting Institute

National Society for the Prevention of Cruelty to Children

PLAYLINK

Royal Society for the Prevention of Accidents

The Association of British Insurers has been approached to seek its views on this statement.

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David Ball, Middlesex University

Observers:

Department for Culture, Media and Sport

Play Wales

