



## FOUR MARKS PARISH COUNCIL

### Re-opening of the Multi-Use Games Area

#### Risk Assessment

The Government recently announced that outdoor equipment such as the multi use games areas (MUGA) could be re-opened on 4 July 2020 and subsequently produced guidance offering “practical advice on how these can be reopened and managed effectively to enable their use while minimising the transmission risk of COVID-19”. The updated guidance release on 17<sup>th</sup> July is available at:

<https://www.gov.uk/government/publications/covid-19-guidance-for-managing-playgrounds-and-outdoor-gyms/covid-19-guidance-for-managing-playgrounds-and-outdoor-gyms>

The guidance includes a requirement to “carry out an appropriate COVID-19 risk assessment”. It is made very clear that “Failure to complete a risk assessment which takes account of COVID-19, or completing a risk assessment but failing to put in place sufficient measures to manage the risk of COVID-19, could constitute a breach of health and safety law”. On that basis, this Risk Assessment takes each of the Key Principles as set out in the guidance and assesses whether or not practical arrangements can be put in place in the context of opening the MUGA, Children’s play area and outside gym equipment. Alongside the guidance, the Government website also directs providers to the HSE which promotes a balanced approach;

- *Play is important for children’s well-being and development*
- *When planning and providing play opportunities, the goal is not to eliminate risk, but to weigh up the risks and benefits*
- *Those providing play opportunities should focus on controlling the real risks, while securing or increasing the benefits – not on the paperwork*
- *Accidents and mistakes happen during play – but fear of litigation and prosecution has been blown out of proportion*

In carrying out this risk assessment and taking all the necessary measures to reopen this area safely, **the Parish Council reserves the right to close the area if any of the signage, government guidelines or Four Marks Parish Council guidelines are not adhered to.**

Key Principle	Government Guidance	Current Risk	Assessment	Conclusion	Residual risk
General Maintenance Issues following Lockdown	Ensure equipment is safe to use and that risks from damaged or defective equipment are addressed before opening.	L	Following the recent RoSPA inspection, no high-risk health and safety issues were identified.	<b>Remedial works have been completed in this area</b>	L
Social Distancing	Put in place measures to support social distancing – 2m or 1m plus risk mitigations. Examples given include: <ul style="list-style-type: none"> <li>• Limit number of users at any one time</li> <li>• Booking system</li> <li>• Advisory signage</li> <li>• Create waiting areas with barriers</li> </ul>	M	Booking system could be introduced and relevant signage displayed, however it would be the responsibility of users to respect the guidance.	<b>One sign has been produced to cover a number of guidance points and social distancing rules are included with images. The sign also states that users should come back later or wait if the area is busy</b>	M
Cleaning and Hygiene	Clean high traffic touch points frequently. This includes: <ul style="list-style-type: none"> <li>• All Play Equipment</li> <li>• Seating Areas</li> <li>• Refuse Bins</li> </ul> In addition, use signage to encourage: <ul style="list-style-type: none"> <li>• Users to clean equipment before and after use</li> <li>• Use of hand sanitiser and frequent hand washing</li> </ul>	H	FMPC have commissioned a full deep clean of all areas (play area, MUGA, adult multi gym etc) taking place w/c 29 <sup>th</sup> June. This will also include an antibacterial virucidal spray.  A quote has been obtained for a regular clean of the high frequency touch points which could take place on a weekly/fortnightly basis.	<b>The area has had a full deep clean and virucidal spray used.</b>  <b>It was agreed that this was not practical nor cost effective to clean this area on a regular basis – a sign has been displayed to</b>	M

	<p>Where practicable, provide hand sanitiser or hand washing facilities at entry and exit points.</p>		<p>It should be noted that the risk of surface transmission is greatly reduced when in an outdoor setting and the effectiveness of any antibacterial spraying etc would be impacted by the weather.</p> <p>The EO has researched automatic hand sanitiser dispensers, - these proved to be costly and with recent anti-social behaviour in this area, may not be appropriate.</p> <p>Large packs of antibacterial wipes and hand sanitiser could be provided on a trolley/bench similar to those in retailers. If this is found to be unsuccessful, it could be easily removed with little cost incurred.</p> <p>The toilet at the Benians pavilion that is currently padlocked could be made available for handwashing. A consideration would need to be made as to whether this could be cleaned</p>	<p><b>advise users that the area is not being cleaned</b></p> <p><b>The costs of the units versus the risk of them being vandalised was considered and it was decided not to proceed with this.</b></p> <p><b>For above reasons, it was decided not to provide cleaning resources. The signage reminds users to sanitise their hands before during and after using the MUGA and to wash their hand when they get home.</b></p> <p><b>This toilet is not regularly cleaned and is not suitable to be used by the public. There was also some abuse of this facility when an unauthorised gathering took place on Monday 20<sup>th</sup> July</b></p>	
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			regularly and whether it would be used responsibly.	<b>which further confirmed that it is the correct decision to keep this closed to the public.</b>	
Face Coverings	If possible, a face covering should be worn in enclosed public spaces where social distancing is not possible and where the public may come into contact with people they do not normally meet. (Face coverings should not be used by children under the age of 3 or those who may find it difficult to manage them correctly).	M	Within the advisory signage detailed above re social distancing, it could be recommended that adults should wear a face covering where possible. Responsibility for face coverings and correct usage would be that of the individual.	<b>As there is only a legal requirement to wear face coverings in shops, it would be hard to enforce this and not practical for people using the area</b>	M
Additional Measures and Communicating with Parents	Promote responsible behaviour by children, parents, carers, and guardians. For example, owners and operators should consider putting up signs to make clear to users, parents, guardians, and carers that: <ul style="list-style-type: none"> <li>• consumption of food or drink on play equipment or in the playground area is banned</li> <li>• parents, guardians, or carers should dispose of all litter including any used protective wear such as</li> </ul>	M	Within the signage, there would be a requirement not to consume food and drinks.  Alongside the paper signage, there will be other sources of information to remind the community of the rules.	<b>‘No food or drink’ and ‘take your litter home’ are included on the entry signage with an image.</b>  <b>There has been a social media post and information on the website about the safe use of this area. This is so the community still has access to the guidelines should the signage be defaced or damaged.</b>  <b>The EO and AEO will monitor when in the office.</b>	M

	face coverings or gloves properly in litter bins, taking it home where a bin is not provided.			<b>They may approach people disobeying the rules, for example, if they are eating or close the play area down if it is clear that the area is not being used in accordance with the guidelines</b>	
Keeping Staff Safe	<p>Consider the risks staff may be exposed to and how these can be mitigated. Staff roles may include:</p> <ul style="list-style-type: none"> <li>• cleaning playground equipment/surrounding areas</li> <li>• managing queues of those waiting to use equipment</li> <li>• stewarding equipment to ensure users comply with rules made by the owner/operator</li> </ul>	L	<p>There are several factors that mean that it will not be possible for the area to be manned.</p> <p>If the cleaning were to be undertaken, it would be with a professional company who would be responsible for their own protective equipment, at additional costs</p>	<p><b>Although a rota basis for monitoring the area was considered, it was decided that this was not feasible</b></p> <p><b>As above, there are no plans to clean this area on a regular basis</b></p>	L

**Guidance from Insurance Company, summarised:**

Employers liability cover will protect against legal liabilities resulting from injury or disease suffered by the Council's employees in the course of their duties. This includes contracting Coronavirus. Volunteers are covered under Public Liability Insurance and eligible against the same protection employees get under Employers Liability. Public Liability insurance will also extend to cover legal liabilities resulting from injury or disease suffered by a member of public where is deemed to be the Council's fault. This also includes contracting Coronavirus.

For a claim against the Parish Council to succeed, the Council would need to be found responsible for the individual contracting Coronavirus. The claimant would need to show that the Council had failed in its duty to take reasonable steps to keep them safe and that this was the cause of them contracting the disease.

As services/activities re-open/re-start fresh risk assessments will need to be conducted factoring in Government guidelines. The assessments will need to be documented and appropriate actions taken to ensure safety of staff, volunteers and all users. The Parish Council will need to demonstrate that it has adhered to advice and recommendations provided by the Government during each phase of the pandemic's evolution, which means risk assessments will need to be updated every time there is a change that effects the Council, staff or services it provides.

If a claim is made, the insurance company will request copies of all risk assessments as these will be used to defend any claim. If government advice has not been followed, then claims would be refused being a breach in the reasonable care clause in the policy.

Signage to try and waive the Council's liability to provide a safe play environment does not legally stop the Council being liable, so signage is not a solution to whether you decide to open the play areas or not. The risk assessment itself may lead to a decision not to open certain play areas if the Parish Council cannot ensure a safe play environment can be provided.

**Sign to include pictures/words, as below:**

MUGA

- Remember to socially distance between yourself and others
- Sanitise your hands, before, during and after using the MUGA and the access gates
- Wash your hands thoroughly when you get home
- If the MUGA is busy, please wait or come back another time
- No food or drink, and please take your litter home with you.
- This area is used entirely at your own risk.