



PLAY IT SAFE—PLAYGROUND SAFETY

Many community associations install playgrounds on their common property. By providing an area in which children can play and exercise, the association makes a contribution to the quality of a community's family life. However, it is important that the playground meets strict standards of safety, both to protect the children playing and to protect the association against liability for injuries that might occur while using such equipment.

Is playground safety really a big problem?

YES. The Consumer Product Safety Commission (CPSC) estimates that each year more than **200,000 American children are injured on playgrounds** seriously enough to require emergency-room treatment. About 15 children die each year as a result of playground equipment-related incidents. Many of these deaths and injuries could be prevented through proper supervision with rules, safety conscience designs, professional installation, and regular maintenance.

What causes injuries?

CPSC studies indicate that most emergency rooms treat playground injuries resulting from children falling from the equipment to the ground. Falls from one piece of equipment to another are also reported. Other causes for injuries and deaths include openings with the potential for head entrapment; the scale of equipment related to the age and size of the child; the placement of equipment on the playground; installation and maintenance negligence; and such general hazards as sharp points and edges.

Who's responsible for the injuries?

The burden of responsibility has several variables: how attentively the child was supervised, how safely the playground was designed, and how well the playground area was maintained. The community association must fulfill its obligation by properly designing and maintaining the area. (See page 5, "What does the law say on playground safety?")



Playground Safety Guidelines

The following guidelines were developed to create a safe playground environment and consequently reduce injuries. Contributing resources include the following:

- KidsHealth (www.kidshealth.org)
- National Program for Playground Safety (www.playgroundsafety.org)
- National Safety Council (www.nsc.org)
- Consumer Product Safety Commission (www.cpsc.gov)
- American Society for Testing and Materials (www.astm.org).

Regular preventive maintenance is a key component in ensuring safer playgrounds.

June 2006

Volume 19

Number 2



Design

- Playgrounds are often designed for two different age groups: 2–5 years olds (pre-school) and 5–12 year olds (school-age). If a playground has equipment for both ages, it's safest to separate the area for the younger children with signs clearly marking the difference.
- Since 70 percent of playground injuries result from falls, a soft playground surface is critical to the safety and well being of the children. The surface can be comprised of a filler, such as wood chips, mulch, sand, pea gravel, or shredded rubber, or be made of safety-tested rubber (or rubber like) material. Filler should always be at least 12" deep for equipment up to 8' high. Rubber mats and wood chips allow the easiest access for wheelchairs. Concrete, asphalt, and blacktop are unsafe and unacceptable. Grass, soil, and packed-earth are also unsafe because weather and wear can reduce their capacities to cushion a child's fall.
- Protective surfacing should extend at least 6' in all directions from the play equipment. You may need to extend this depending on how high a slide is or how long a swing is.
- Experts recommend a limit of two swings. Surfacing should extend in back and front twice the height of the suspending bar. Swings should be spaced at least 24" apart and 30" from the support frame. Swings, seesaws, and other equipment with moving parts should be located in a separate area of the playground.
- If the playground structure combined with the height of a child exceeds 12', no surface material

can provide adequate safety. Any structure that is 30" or higher needs to be spaced at least 9' apart.

- Spaces between ladder rungs, openings of guardrails, etc. can potentially trap children. Make sure these spaces measure less than 3.5" or greater than 9".
- Guardrails for younger children's equipment should be at least 29" tall. For school aged children, the barriers should be at least 38" high. All elevated surfaces (platforms and ramps) should have guardrails to prevent falls.
- Handrails should have appropriate grip sizes for children.
- Meet Americans with Disabilities Act (ADA) guidelines. It's your responsibility (and the law) to provide access for disabled persons—for the child playing and/or the person tending the child. The United States Access Board (which was created to develop accessibility guidelines for the ADA) created a Recreation Access Advisory Committee (RAAC) to specifically address recreation facilities and to identify specific needs they must comply with. More information can

be found at www.access-board.gov or 1-800-872-2253.

- Proper drainage should be considered, as puddles of water pose several hazards.
- Provide a trash can for debris.
- Fencing prevents children from running into parking lots or streets. Additionally it keeps pets at bay, protecting the area from their waste and potential bites.
- Post signs with "limits of use," supervision guidelines, pet restrictions, and a telephone number of the playground administrator to report problems, concerns, and accidents.
- Unsafe equipment includes the following:
 - a. animal figure swings,
 - b. glider swings,
 - c. swinging ropes (strangulation hazard),
 - d. exercise rings,
 - e. monkey bars (highest incident of injury), and
 - f. trampolines.

Purchase/Installation

Playground equipment should be purchased from reputable playground

WEB RESOURCES

- **American Society for Testing and Materials** (www.astm.org)
- **Consumer Product Safety Commission** (www.cpsc.gov)
- **KidsHealth** (www.kidshealth.org)
- **National Playground Safety Institute** (www.nrpa.org/npsi)
- **National Program for Playground Safety** (www.playgroundsafety.org)
- **National Safety Council** (www.nsc.org)
- **United States Access Board** (www.access-board.gov)



MONTHLY PLAYGROUND CHECKLIST

Property Name: _____ Property Location: _____
Person Completing Checklist: _____ Date: _____ Time: _____

Structure Accessibility

- | Yes | Action Needed | |
|-------|---------------|--|
| _____ | _____ | Area surrounding playground barrier free and clear? |
| _____ | _____ | Trees and other growth trimmed above eye level? |
| _____ | _____ | Have enticing items (such as tree limbs) near the playground been removed? |

Surfacing

- | | | |
|-------|-------|--|
| _____ | _____ | All debris and/or other foreign objects removed from playground surface? |
| _____ | _____ | Depth of the surfacing material consistently 12 inches under and around equipment? |
| _____ | _____ | Surfacing material loose (not compacted) and evenly distributed, particularly under swings and at bottoms of slides? |
| _____ | _____ | Sufficient drainage so traction is not an issue? |
| _____ | _____ | Anchoring material below ground, unexposed? |
| _____ | _____ | Play area free from broken glass or litter? |
| _____ | _____ | Play area free from tripping hazards, such as cracks, roots, and rocks? |
| _____ | _____ | Parking lot free from trip hazards, such as cracks, roots, and rocks? |

Structure(s) and Equipment in General

- | | | |
|-------|-------|---|
| _____ | _____ | All nuts and bolts tight? |
| _____ | _____ | All nuts and bolts recessed or capped? |
| _____ | _____ | All pipe ends capped? |
| _____ | _____ | All steps, landings, and railings secure? |
| _____ | _____ | All steps non-slipping? |
| _____ | _____ | All joints smooth? |
| _____ | _____ | All moving parts oiled and not worn down? |
| _____ | _____ | Equipment free from sharp corners, edges, or projections, including splintering from wood? |
| _____ | _____ | Connecting hardware secure so that clothing cannot become entangled? |
| _____ | _____ | Equipment (including platform surface) free from cracks and bends? |
| _____ | _____ | Equipment free from deterioration, rusting, or chipping? |
| _____ | _____ | All support structures sturdy and anchored? |
| _____ | _____ | Equipment free from pinch/crush points? |
| _____ | _____ | Connection points secure? |
| _____ | _____ | All "S" hooks and chains closed and not worn? ("S" hooks should be avoided if at all possible.) |
| _____ | _____ | Swing seats free from cuts or cracks? |
| _____ | _____ | Swing seats all accounted for? |
| _____ | _____ | All beams raised and free of debris? |
| _____ | _____ | All slides, steps, hand holds fastened? |

General Playground Safety

- | | | |
|-------|-------|---|
| _____ | _____ | Playground signs in place, in good repair? |
| _____ | _____ | Telephone working (if available), with 911 sticker? |
| _____ | _____ | Trash receptacle stable, emptied? |
| _____ | _____ | Vandalism-free? |
| _____ | _____ | Is all equipment working properly? |



WEEKLY PLAYGROUND CHECKLIST

Property Name: _____ Property Location: _____
Person Completing Checklist: _____ Date: _____ Time: _____

Surfacing

Yes Action
 Needed

_____ _____ All debris and/or other foreign objects removed from playground surface?
_____ _____ Surfacing material raked or replenished to prevent compaction and to maintain uncompressed surface depth of 12 inches?

Vandalism

_____ _____ Any signs of vandalism? If so, file a loss report.

Equipment

_____ _____ Any obvious equipment damage? If so, make provisions to fix. Shut down equipment until fixed.
_____ _____ Are the trash receptacles emptied?

equipment dealers that comply with CPSC guidelines and American Society for Testing and Materials (ASTM) standards. All playground equipment should be installed according to the manufacturer's instructions. Such instructions, warranties, phone numbers, etc., should be kept in a permanent file. Secure anchoring is essential to stable installation, so be sure that manufacturer's specifications on this issue are followed closely. After the playground is installed, it should be inspected by a Certified Playground Safety Inspector. (See "Ask the Expert" on page 6.)

Supervision and Rules

- Forty percent of playground accidents can be attributed to inadequate adult supervision. Adult supervision combined with safe equipment are critical to a child's safety, but children should follow these rules as well:
 - a. Make sure the child is playing on age appropriate equipment.
 - b. No pushing or roughhousing while on equipment.

- c. Slide feet first.
- d. Don't climb outside guardrails.
- e. No standing on swings.
- f. Leave bikes, backpacks, etc. away from the equipment so no one trips or falls on them.
- g. Don't play on the equipment when it's wet—wet equals slippery.
- h. Check clothes for loose strings, etc.—anything that could get caught in the equipment.
- i. Pets should not be allowed—children won't run the risk of being bitten or stepping in something they shouldn't!
- j. Pick up when you leave and help re-distribute the surface if necessary.

- Post the rules on a sturdy, weather resistant sign that is legible for all playground participants to see and read. The sign should include a phone number to report problems, concerns, and accidents.
- Both your insurance agent and attorney should review your playground rules and evaluate them

periodically to address new concerns. Consider distributing the rules to all the residents at the beginning of the season; display them on your community board, and publish them in your association newsletter along with a telephone number to report repairs and concerns.

- Adults need to watch for potential hazards as well as observe their children playing.

Maintenance/Inspection

- Regular inspections and preventive maintenance are key components to ensure playgrounds are safe; this should always be a priority with the maintenance staff. Accurate documentation of inspections and maintenance can be a strong defense against claims of negligence stemming from allegations of unsafe or broken equipment.
- Create an inspection log and regular maintenance schedule. A checklist should be used whenever



scheduled inspections take place. Because of the differences in types of equipment, frequency of use, and local climate, a maintenance schedule for the entire playground should be drawn up, possibly with the help and advice of an insurance representative. All hazards or defects should be repaired promptly and equipment should be closed until the repair is made. See the sample checklist above and on page 3.

What does the law say on playground safety?

No federal law mandates playground safety standards, but several organizations are active in setting standards and promoting playground safety.

The Consumer Product Safety Commission (CPSC) publishes the “Handbook for Public Playground Safety” (document #325) and a “Public Safety Checklist” (document #327). The American Society for Testing and Materials (ASTM) publishes the “Standard Consumer Safety Performance Specification for Playground Equipment for Public Use” (Active Standard F1487-05) and “Standard Guide for ASTM Standards on Playground Surfacing” (F2223-04). (See below for information on how to obtain them.)

CPSC’s handbook is directed to the public, while the ASTM Standard, (more technical in nature), is a voluntary performance standard for public playground equipment and is primarily intended for use by equipment manufacturers, architects, designers, and any others requiring more technical information. **This is the guideline to which a community association should refer.**

Although these publications provide recommendations or guidelines, not mandated regulations, they are accepted as the industry standard of care and have been **recognized as such in court**. Ignoring them could make community associations vulnerable to negligence charges.

The association should have a playground committee of owners, tenants, and a management representative to assist with the safety and maintenance of the playground. This responsibility is great and must be shared. In addition, Certified Playground Safety Inspectors are available throughout the country to inspect playgrounds. See the “Ask the Expert” column on page 6 for more information on playground inspection.

What information do I need if an injury or loss occurs?

It is vitally important that a record of any accidents or injuries be kept as part of the permanent file. This will assist your insurance representative in

his efforts to identify potential hazards and to avoid future risks. The report should include the date, time, and location of the accident, the name of the child, the supervisor of the child, the parent of the child, the home address of the child, and the age of the child. What were the circumstances? Was it raining? Was the child being supervised? Was 911 called? Did the child go to the hospital?

Where can I learn more?

It is important that playgrounds be maintained properly and inspected frequently. It is critical to review your association’s legal responsibilities and insurance needs with qualified professionals, including your association’s legal counsel. If you have any questions or need further information, please contact Steve Dickerson (703-205-8788 or Steve.Dickerson@usi.biz) or Theresa Swan (703-205-8753 or Theresa.Swan@usi.biz).

WHERE TO ORDER GUIDELINES

The Consumer Product Safety Commission’s “Handbook for Public Playground Safety” (publication #325) presents playground equipment safety information in the form of guidelines. It is intended for use by parks and recreation personnel, school officials, equipment purchasers, installers, and others interested in playground safety. This free publication is 46 pages. It is available by sending a request for Publication #325 to Playground Handbook, CPSC, Washington, DC 20207. This publication may also be obtained from the CPSC web site at www.cpsc.gov/cpsc/pub/pubs/325.pdf or by calling 800-638-2772.

The American Society for Testing and Materials’ “Standard Consumer Safety Performance Specification for Playground Equipment for Public Use” (publication F1487-05) provides safety and performance standards for various types of public playground equipment; it is technical in nature. Its purpose is to reduce life-threatening and debilitating injuries. It costs \$52.00 and is 56 printed pages. This publication can be downloaded at www.astm.org or ordered through ASTM Customer Service (phone: 610-832-9585; fax: 610-832-9555).



ASK THE EXPERT

“Ask The Expert” is a regular column in *Insurance Focus*, featuring an interview with an expert about an important insurance issue facing community associations. This month our expert is Roy Geiger of the National Recreation and Park Association (NRPA), a national not-for-profit organization in Ashburn, Virginia. He is the manager of NRPA’s National Playground Safety program and liaison to NRPA’s National Playground Safety Institute (NPSI).

Q: Why is playground inspection important and what are Certified Playground Safety Inspectors?

A: From a liability perspective, community associations MUST understand that the playgrounds they own and/or operate are considered PUBLIC playgrounds and, as such, should be designed, constructed, audited, inspected, and maintained according to currently accepted national safety standards and guidelines.

A playground safety inspection targets deteriorating or detrimental alterations to the structure and surface of a play area. Until an injury occurs on your property and you are facing a lawsuit, you may not think about the necessary cautions to provide a safe play area. But you can take steps to ensure a safe playground on your property. First, become familiar with the Consumer Product Safety Commission (CPSC, www.cpsc.gov) and the American Society for Testing and Materials (ASTM, www.astm.org) standards.

Second, you should consider becoming a Certified Playground Safety Inspector (CPSI) or have an inspector come in and do the inspections for your community association. A Certified Playground Safety Inspector is a person who has successfully completed advanced reading,

a 15-hour training course, and a comprehensive examination at the end of the course.

Certification establishes an approved and standardized body of knowledge in playground safety, design, installation, and maintenance. Course content also covers accident statistics, history of playground safety, hazard identification, risk management, audit procedures, maintenance procedures, playground design, and accessibility.

The National Playground Safety Institute’s Certified Playground Safety Inspector course and examination reaches a broad range of the population. It appeals to school representatives, daycare providers, park and recreation professionals, insurance companies, landscape architects, health departments, military branches, risk-management groups, playground sales representatives, and concerned citizens. To date, more than 6,000 CPSIs worldwide are certified.

NPSI courses are offered throughout the United States and cover a wide range of topics, from identifying hazards on playgrounds to developing risk management tools and comprehensive safety plans. To find out more about NPSI certification, course locations, and times, visit www.nrpa.org/npsi.

USI DC Metro • 2755 Hartland Road • Falls Church, VA 22043
703-698-0788 • 800-792-9800 • 703-698-0137 (fax) • www.usicondo.com
Editor: Shannon R. GaNun

The information in this newsletter is taken from sources which we believe to be reliable, but is not guaranteed and is not necessarily a complete statement of all the available data. Conclusions are based solely upon our best judgment and analysis of technical factors and industry information sources.