

ALBERTA SCHOOL BOARDS' INSURANCE EXCHANGE INSURANCE PROGRAM

BULLETIN | Playground Liabilities and Safety

Playgrounds are an important part of young children's educational environment. They allow children to exercise and use up excess energy so they can better focus in the classroom. However, playgrounds are often the site of many injuries, ranging in severity from minor to serious. As an educational institution, you need to keep playground facilities safe while still facilitating important developmental play and protecting against liabilities.

Duty of Care

Some lawsuits related to school playground injuries have centred on negligence due to lack of proper supervision. While it's not practical to expect a teacher or playground monitor to keep his or her eyes on every single student at every moment, they are expected to exhibit a reasonable level of adequate supervision. The duty to provide safe play areas and proper supervision should be placed on those responsible for operating playgrounds.

Schools must keep playgrounds safe while still allowing for important developmental play and protecting against liabilities.

The duty of care owed by a playground operator is the degree of care that a person of ordinary prudence charged with similar duties would exercise in the same circumstances. The school should exercise the same standard of care toward its students as would a reasonably prudent parent under comparable circumstances. Further, in providing the highest duty of care to students, schools must exercise due care to prevent unreasonable risk of harm to the child from playground equipment and other playground site hazards.

Safe Playground Design

It's important for children to play on age-appropriate gear so that they do not injure themselves. Playgrounds are ultimately safest when equipment is selected for the ages of the children using it. When designing a playground for children of all ages, equipment should be separated into three distinct groups: for children under age 2, for 2- to 5-year-olds and for 5- to 12-year olds.

Other safety considerations that should be taken into account when planning a playground area include:

- Items with moving parts (such as seesaws and swings) should be located in a separate area and allow ample space for the moving parts.
- Minimize the number of spaces that could trap a child's head, arms or legs. All openings (such as rungs on a ladder) should be either less than nine centimetres or more than 23 centimetres.

- Wooden equipment should not be cracked or splintered. Any cracked or splintered equipment requires immediate attention for repair or replacement.
- Any sandbox areas should be inspected regularly before children use them. Be sure that these areas are covered every night to prevent animal contamination.

The selection of safe and age-appropriate equipment is just as important as the selection of a safe ground surface for the playground area. Trips, slips and falls will happen, but a safe ground surface can reduce the severity of an injury or prevent an injury completely. Concrete, asphalt and blacktop are all extremely hard surfaces and are generally considered unsafe for playground areas. Woodchip ground cover is much softer, but debris hidden in the woodchips, or the woodchips themselves, can cause falls and minor injuries. Rubber mats offer the most stability, especially for younger children, and allow for easy wheelchair access. Playground supervisors and maintenance staff should make sure the ground surface stays level and free of debris that could cause kids to trip and fall, such as rocks, tree stumps and tree roots.

Protecting Your Risk

Stay informed of the latest in playground safety developments. Look for information regarding playground surface and equipment hazards. Any public entity operating a playground is generally expected to be familiar with standards for playgrounds.

General liability insurance generally covers claim costs associated with playground incidents. Having a playground facility does increase your risk. Consult with Lloyd Sadd Insurance Brokers Ltd to make sure your coverage is adequate and protects your risk sufficiently.