

SUMMER SAFETY GUIDE



As summer approaches, families and community members begin to enjoy more fun in the sun. Local governments should feel confident in the safety management of their communities. OneBeacon Government Risks created the “Summer Safety Guide” to provide your public entity with the necessary tools to prepare for summer. Included in the guide are tips, sample forms, statistics and more.

It is our hope that you will use this information to help identify your own exposures and to implement effective risk management practices. As with all risk management efforts any changes or additions to your existing efforts should be reviewed by your legal counsel.



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LIFEGUARDS

The liability of a pool extends beyond the water, staffing qualified lifeguards with appropriate training is the first step towards a safer pool environment. Below are 6 lifeguard tips to help safeguard your pool this summer:

Pre-Employment Screenings: It is vital that the lifeguards you hire are not only trained and certified to perform the job, but also that they are physically able to. Here are 4 things to consider before offering someone the job:

1. Verify their certification records
2. Conduct a physical screening
3. Conduct a vision screening
4. Offer the Hepatitis B vaccination (this is a requirement by OSHA)

Certification/Training: There are multiple outside certification organizations for lifeguards including the YMCA, American Red Cross and USLA. However, there can be inconsistencies in these programs, so it is important to also consider in-house training for lifeguards specifically for your unique exposures and procedures. This not only ensures the lifeguards have the necessary skills to perform their job, but it creates training specific to your facility's needs.

Rescue Equipment: No longer are swimming and rescue skills enough. Ensure your lifeguards are equipped with the tools they need to save a life. Suggested rescue equipment includes rescue tubes, rescue buoys, backboard straps and restraints, throw ropes, inflatable rescue tubes, defibrillator, throw-able devices and a fully stocked first aid kit.



5,000

The number of children under the age of 14 hospitalized every year as a result of drowning.

Communications: The presence of communications equipment can greatly improve the chances of an incident from escalating to something more severe. Equipment to consider includes telephones, walkie-talkies, horn and whistles.

Alertness: Lifeguards can become easily fatigued while on guard. To help keep your lifeguards alert, provide them with shade, clothes and sunglasses that reduce sun exposure. Use 20-30 minute rotation schedules and recommend they change their position (stand, sit, kneel on one knee) every 5-10 minutes.

Visiting Groups: Laws vary by state. Some states require the host pool to provide lifeguards. In any case, make sure to check what your state's laws are in regards to visiting groups and lifeguards at a pool.

For more information of Lifeguard Management, download the American Red Cross's "[Lifeguard Management](#)" manual.



TRAILS

Every weekend people across the nation flock to trails and open spaces to enjoy the outdoors. Below, we've listed some important items to include on a conditions report and during inspections at your trails and open spaces to promote a safe environment for all visitors.

Inspections

Inspections should occur at least once annually. If trails or open spaces have technical features such as a man-made structure, then inspections should occur twice annually. Inspection frequency may also increase for a trail depending on the trail's classification. Every inspection needs to be properly documented and saved. If necessary, work orders should be submitted for repairs.

Trail Head or Open Space Signage

Upon arriving to the trail head or open space area, there should be signs indicating the following items:

- Descriptions of the trail or open space area
- Notices for any known dangers or wildlife in the area
- Rules and regulations
- Be prepared for weather changes
 - Notices posted if weather changes are to be expected and what they are (i.e. thunderstorms in the afternoon, snow, heat, lightning, etc.)
- Phone numbers to report issues
- For emergencies, call 911

Trail Signs and Markers

Throughout trails and even in open space areas, it is important that all signs and markers are installed properly. During inspections, all signs and markers should be inventoried and the status of their condition should be noted. If necessary, install additional cautionary and hazard signs in areas of concern for visitors.

Trail Conditions

During inspections, check for the following items:

Trail Surface Condition

There should be no ruts or erosion greater than 6 inches. Also, check for excess gravel.

Trail Markers

Trail markers need to be clearly visible to visitors. Ensure they are properly installed and that they are in good condition.

Steps and Timbers

Ensure steps and timbers are secure and that no rebar is exposed.

Debris

Debris should be removed immediately to prevent trips or injury.

Trees

Inspect trees for failing health and dead limbs that may need to be cut down. All fallen trees and limbs should be disposed of.

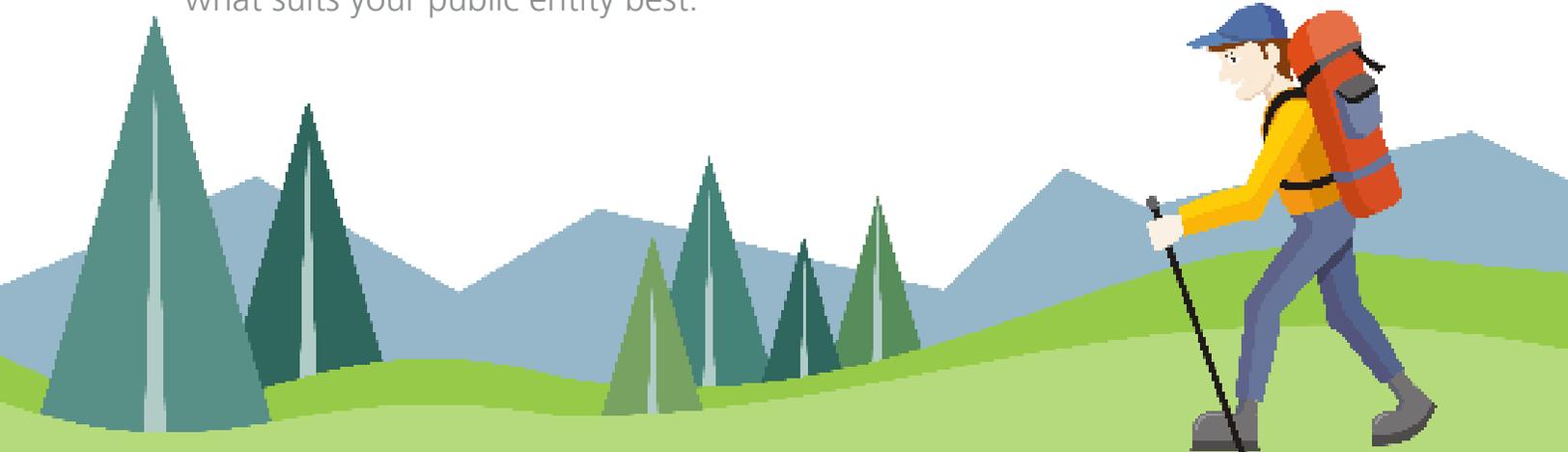
Culverts and Drainage

Inspect the culverts and drain systems to ensure they are working properly and not blocked. Check for abrasions, corrosion and cracks.

Bridges

Inspect the structural components of all bridges including the deck, handrails and other elements that may show visual damage.

Remember, the above are sample items for your public entity to consider regarding trails and open spaces. It is important to determine your public entity's trails and open spaces specific needs when creating a conditions report. Consult with your legal team, management and staff to determine what suits your public entity best.



PLAYGROUNDS

The arrival of summer stirs a desire for all of us to get outside and head to local parks and playgrounds. Ensure you are aware of all the hidden hazards and are ready for risks that come with having a playground on your public entity's property.

Surfaces

A national survey of 760 playgrounds revealed that 87% lacked adequate protective surfaces and included rocks, grass, gravel, cement, brick and stone. The majority of significant injuries are from falls to the surface. To ensure your playground is up to code, use an appropriate surface such as rubber mats or loose fill. By including proper surfaces, the seriousness of an injury can decrease significantly. Although, keep in mind that no surface or playground is injury proof. For more information on appropriate surfaces see the CPSC Public Playground Safety Handbook.

Supervision

Signs should be posted that adult supervision is needed at all times. Due to the fact that playgrounds are a risk inviting area, children do not always know which equipment is age appropriate. It is also important to have adults on hand in case of an accident.

Signage

As stated above, proper signs can not only reduce risk, but also improve use of equipment and combat liability. Signs should also be posted to warn of hot surfaces and for removal of helmets or accessories around the neck that may cause choking hazards if caught in a piece of equipment.



51%

of all playground injuries occur on public playgrounds.

Side-rails

For areas that are high off the ground, consider installing railings to provide barriers from falling as suggested and designed by the manufacturer. If your playground already has side-rails installed in those areas it is important to maintain and replace them when necessary. Check for loose screws and bolts, missing or damaged pieces and rust.

Shade

Protections from the sun and equipment burns are two necessary reasons to provide extra shade at your community's playground. Canopies over play equipment can help significantly reduce the possibility of users receiving burns from overheated equipment. Additionally, planting extra trees in the area can provide kids and spectators protection from excess sun.

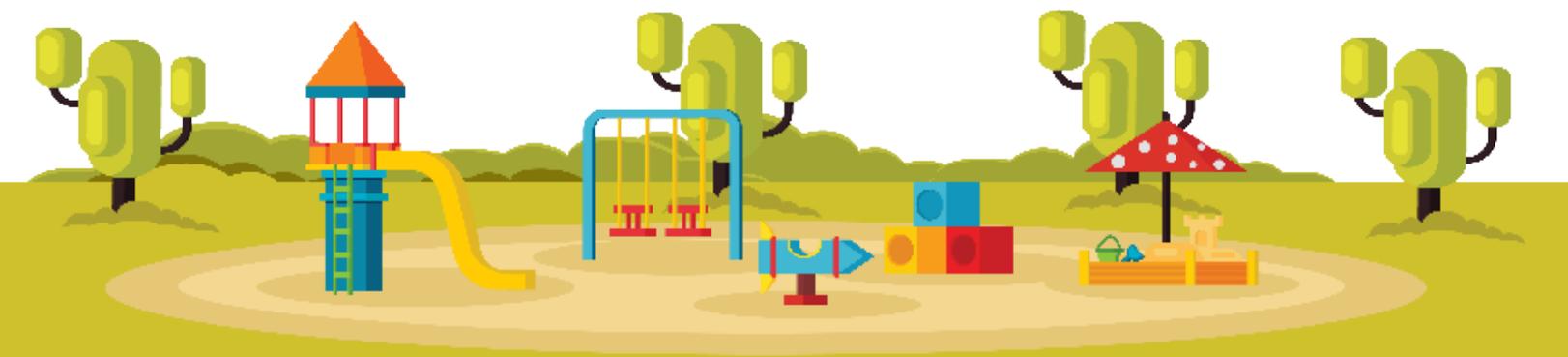
Safety and Risk

Although difficult, it is important when designing your playground to find the balance between safety and risk. You cannot completely eliminate risk from the playground because they are meant for children to test their limits and muscles, build confidence and even learn personal interaction. The five tips above will ensure safety eliminates the unnecessary risks.

For more tips and ideas on how you can ensure your playground is ready for summer in the sun, read "[Playing it Safe: Are your Community Playgrounds adequately Protected?](#)" by OneBeacon Government Risks' Kenny Smith, Risk Control Manager.

23%

of all playground injuries are equipment related hazards such as breakage, tip-over, design and assembly.



DOG PARKS

The growth of off-leash dog parks has continued to sweep the nation by storm. Off-leash dog parks are great places for pet owners in both suburban and urban neighborhoods to exercise their dogs. However, as a public entity, you should be aware there are risks involved. OneBeacon Government Risks wants to provide your public entity with rules, regulations and other policy related items that you should consider to keep an off-leash dog park responsibly and safely maintained.

Inspections

Inspections are vital for any public entity owned space. Not only do you need to have an inspection program in place, inspections need to take place frequently. The inspections need to be properly documented and they should not be disposed of prior to your state's statute of limitations. If complaints are made, make sure to document them and follow-up once a correction to problem is made.

Items to consider on your inspection list:

- Holes in the fences
- Gates lock properly
- No holes that will add to a tripping hazard
- Dog waste is cleaned up
- Dog waste bags are provided
- Trash cans are empty
- Rules are being followed by visitors
- Any materials such as food of any type that a dog could eat
- Parking lot and sidewalk conditions i.e. slip/trip hazards, snow and ice removal

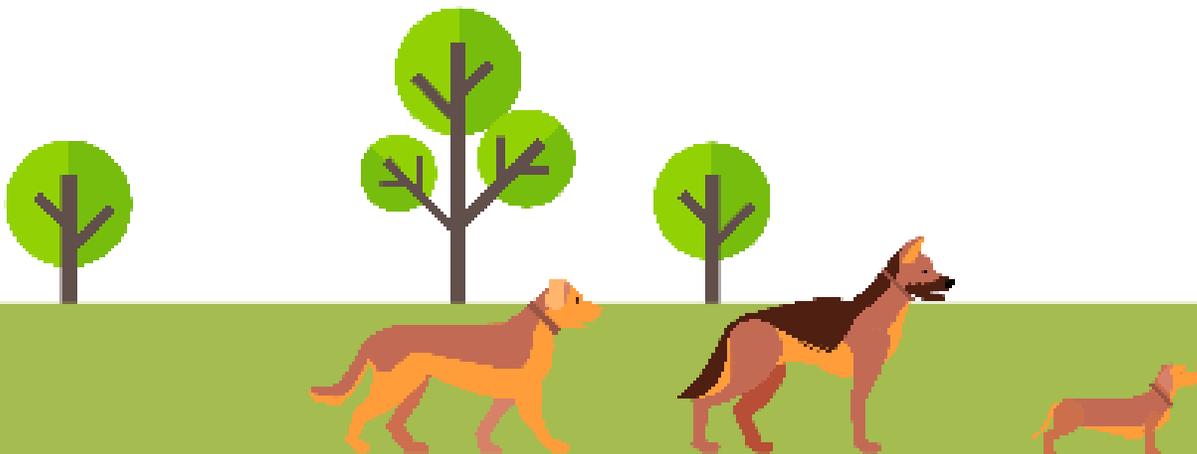
Signs/Rules

Consider posting rules and regulations in a spot visible to pet owners entering the park. Please remember that the below are just a few samples. You should always consult with your legal team to determine rules that suit your public entity.

- The hours the dog park is open. Example: This dog park is open from sunrise to sunset.
- Use park at your own risk.
- Let your dog off the leash only after you've entered through and closed the double gates.
- Never leave your dog unsupervised.
- You must be at least 16 years old to bring a dog into the park unless accompanied by an adult.
- Clean up after your dog.
- No smoking, glass containers or alcohol is allowed inside the park.
- Owners are legally responsible and liable for their dogs and any injuries caused by them.

20%

increase in number of off-leash dog parks over the past five years (2015). Off-leash dog parks are one of the fastest growing segments of municipal parks.



OUTDOOR SPORTS FACILITIES

Often a risk management plan for an outdoor sports facility will look very similar to that of an outdoor public playground. However, due to high volume of foot traffic outdoor sports facilities have in the summertime along with the complexity and magnitude, identification of risks is increasingly important.

Steps to Reduce Exposure:

Public entities have the responsibility to provide a safe environment for players, coaches, referees and spectators. To do so, develop a plan including the following:

Maintenance:

Perform inspections frequently. Inspections will allow you to detect hazards before an injury occurs. During inspections, take notes of all items that need maintenance. If a hazard is found, schedule repairs immediately and document when and who completes the repairs. Documentation is the best defense in case of a claim.

Employees:

Hire employees who are competent and knowledgeable in the activities they supervise. Provide necessary training on equipment and facility policies. The combination of trained staff and properly marked facilities will result in fewer injuries. All employees should know the proper steps to take if they notice improper use of equipment and to report a hazard immediately upon notice.

Waivers:

Require the use of waivers for all sanctioned events. Waivers will help reduce the facility's liability. In many states, a waiver will completely protect the facility from any injury that arises as a result of negligence by an employee of the facility.

Sample Outdoor Sports Facilities Condition Report:

Below are a few items to consider including in outdoor sports facilities condition report. Please remember that the below are just a few samples. You should always consult with your legal team to determine rules that suit your public entity.

Facility Name:

Date:

Completed by:

Work order has been initiated for repair work: Yes | No | N/A

Conditions Today: Mark if condition is in good quality. If not, include what maintenance needs to be scheduled.

Stadium Signage

- Overview Map of Facilities
- Notice of State Statutes about errant balls/bats
- Park Rules posted
- Notices posted – changes in weather, etc.
- Number posted to report problems
- Emergencies – Call 911

Parking Lot, Landscape, Sidewalk Conditions

- Parking lot surface condition
- Sidewalk in good condition; <1/2" difference
- Landscape and tripping hazards

Stair, Seating, Walkway, Bleacher Conditions

- Stair tread condition and marked to identify stair lip
- Rails and handrails
- Seats in good condition
- Lighting adequate
- Walkways in good condition
- Bridges – deck, handrails, visual structural damage
- Bleachers meet Consumer Product Safety Commission standards
- Exit signage adequate

Playing Field Equipment

- Backstop netting and support cables
- Wall and fence cushions
- Base securement systems
- Field surface conditions

SKATE PARKS

With school out of session during the summer, skate parks begin to fill up with kids of all ages. If your entity has a skate park, it's important you understand the exposures, how to protect the public and the entity itself. Below we've listed some skate park risk management practices to consider.

Risk Management Best Practices

- Facility is designed and installed by a qualified specialty skate park contractor.
- Located in a high-traffic location with a moderate to high level of unsolicited observers.
- Law Enforcement includes facility as part of their regular rounds.
- Fenced with ability to lock gate (able to take facility out of service for maintenance and/or repairs).
- Signage:
 - Use at your own risk
 - Facility is not supervised
 - Protective equipment such as helmets and other protective gear is recommended
 - There are inherent risks in skate park activities
 - Stated open/close times
 - Facility should not be used in inclement weather situations
- Inspected thoroughly at least annually (depending on average use, heavy use should have more) with documentation for major maintenance, signs, drains, and structural integrity per manufacturer's guidelines.
- Inspect frequently per manufacturer recommendations with documented forms to evaluate housekeeping, general conditions and any damages and repairs needed on day evaluated. Forward documentation to management for coordination with repair

Sample Facility Rules

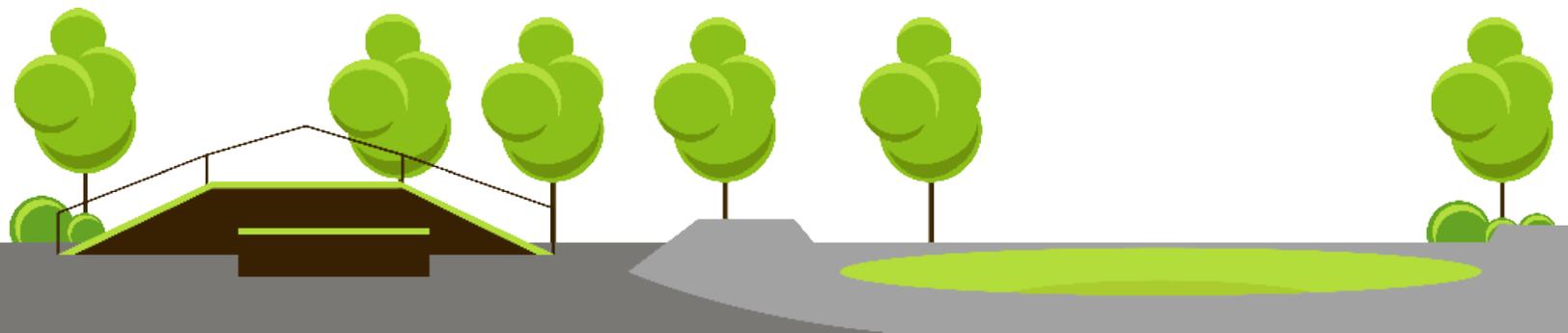
Consider posting rules and regulations in a spot visible to patrons entering the skate park. Please remember that the below are just a few samples. You should always consult with your legal team to determine rules that suit your public entity.

- Do not use facility in inclement weather as it may create unsafe surfaces for skating.
- Hours of use are 8am to 10pm; or park closes from 10pm to 8am
- Alcohol, tobacco and drugs are prohibited
- Facility is designed for skateboards and in-line skates only
- No ramps or jumps may be brought in from the outside
- No items are to be brought in to create ramps or jumps such as trash cans, benches, picnic tables or other objects.
- No pets are allowed on the skate park surface
- Do not proceed down a ramp until it is clear of other skaters

The sample city reserves the right to close the facility at any time for any circumstances deemed necessary.

Please report maintenance needs to Parks and Recreation at 000-000-0000.

In case of any emergency, call 911.



LIQUOR LIABILITY

With summer sun and weather approaching, many companies, organizations and cities and towns are beginning to plan outdoor events such as fairs, parades, festivals and more. Many of which are not only hosted on public entity property but also include alcoholic beverages. Public entities should recognize the liabilities that come along with an event providing alcohol.

Liquor Lawsuits

Most lawsuits regarding liquor assert that the law was broken due to one of the following:

1. Over-serving a patron
2. Serving to a minor
3. Or, not offering safe transport home after identifying the patron was intoxicated.

To prevent plaintiffs from proving negligence in training or supervision, develop a liquor liability plan (see *next page*). If possible it is best to transfer the risk by contracting out this exposure to a reputable group with appropriate type and amounts of insurance coverage.

Encourage a Safe Drinking Environment

There are many things you can do to promote a safe drinking environment and reduce your risk for liabilities. Safety begins with management. Ensure your management supports and trusts the staff in their decisions to 'stop service.' Providing them with training and guidelines will ensure they make responsible judgments. Do not forget to include the promotion and offering of alternative beverages at an event or venue.

Remember, it is up to the entity to establish boundaries and acceptable conduct. Establishing a liquor liability plan is the best way to ensure you're ready for any situation.

Components of a Liquor Liability Plan

Below are a few items to consider including in your Liquor Liability Plan:

1. Research your state's Alcoholic Beverage Control (ABC) laws before developing a plan.
2. Develop a Policy Statement directed toward employees from management showing they are committed to following and enforcing the State ABC laws.
3. Develop policies and procedures addressing:
 - Server Intervention Training - initially at hire and a refresher annually
 - Prevention of Underage Serving
 - Refusal of Service (Cut-Off) to Patron - offer food/soda/taxi
 - Happy Hour and Drink Specials - limitations of service/type/duration
 - Incident Documentation
 - Volunteers - orientation, training, supervision

Groups using Entity Facilities

Groups Using Entity Facilities sometimes have alcohol consumption planned for their guests only and no sales or serving of alcohol to the public. A best practice is to use a Facilities Use Form which identifies this exposure and requires security guards when alcohol is present and often requires a damage deposit as well. The Facilities Use Form also would include a signed hold harmless agreement in favor of the entity.

For more information and resources on this topic, download OneBeacon Government Risks' [Liquor Liability PDF](#).



CONCLUSION

Risk management is all about being proactive, anticipating what may go wrong, putting plans in place to counteract the known issues and investigating when things don't go as planned so you can make adjustments and move forward. The Summer Guide was created to help your public entity be proactive this summer. If you have any questions or would like to know more, contact us OBGRRiskControl@onebeacongov.com.



CONTACT US

To learn more about how OneBeacon Government Risks can help you manage risks, please contact us at OBGRRiskControl@onebeacongov.com or visit us at onebeacongov.com.

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