

**Sandwell Metropolitan Borough Council**

**Report to the Cabinet Member for Culture and Leisure**

**26<sup>th</sup> October, 2006**

**Sandwell's Outdoor Water Safety Policy**  
**(Cabinet Forward Plan Ref No: CL031)**

**1. Summary Statement**

- 1.1 Following the recent tragic water based incident at Victoria Park, Tipton, the Royal Society for Prevention of Accidents (RoSPA) were commissioned to investigate the incident together with appraising the Council's overall provision of water safety within the Borough.
- 1.2 RoSPA established that the authority had no formally approved Water Safety Policy in place. To steer overall safety management of open waters, they recommended that a formal policy be adopted that clearly states the Council's commitment to addressing water safety at a strategic level.
- 1.3 The attached Outdoor Water Safety Policy has been written in accordance with RoSPA's model documentation and has been distributed to all land managers with a responsibility for Council managed water. In its presented form the Policy will receive endorsement by RoSPA.
- 1.4 Approval of the policy will indicate the Council's commitment to water safety and the implementation of the factors within the document. It will however generate a significant financial implication to the authority both in capital investment for implementation and in revenue resources to maintain infrastructure and the monitoring of procedures. At this stage it is not possible to predict the overall cost of implementing the policy, as this will be determined through evaluation of the site-by-site safety audit currently being undertaken by officers and RoSPA.
- 1.5 Based upon the implementation costs for remedial works at Victoria Park, a realistic estimate of £290,000 for initial capital investment can be given, together with an ongoing annual revenue implication in the region of £40,000. It is expected the outcomes of the RoSPA site audit will be identified in October and on this basis the policy should be adopted subject to the detailed resource implications being identified and resolved.

- 1.6 The Water Safety Policy includes specific elements that will have impact upon the workforce. These are detailed in 3.3 of the report. There are however specific issues relating to Sandwell Valley that require suspension of casual use whilst further investigations are undertaken.
- 1.7 The water safety policy includes specific elements that will impact upon the workforce, as initial outcomes from the safety audit indicates a number of personal safety issues associated with the Councils current provision. This includes a required alteration to the provision of rescue facilities at Sandwell Valley and the need for additional training for persons working on, near or in water.

*Further details are attached for your information*

## 2. **Recommendation**

- 2.1 That the Cabinet be requested to recommend to Council that:
- (a) the Outdoor Water Policy, as now submitted, be approved and adopted;
  - (b) that subject to any necessary funding to be met by the Council, arising from the policy be included for consideration in the budget setting process, the policy be implemented across all outdoor waters managed by the Council.
- 2.2 That the casual use of Swan Pool, Sandwell Valley for water-based activities be suspended with effect from 1<sup>st</sup> December 2006, pending further examination of water safety issues.
- 2.3 That following the investigations into the water safety issues referred to in 2.2 above, a further report be submitted to the Cabinet Member for Culture and Leisure with a view to making any necessary changes to the policy.

In accordance with the authority delegated to the Cabinet Member for Culture and Leisure, the following course of action has been agreed, which will be set out in the formal record of the decisions taken by the Member:

- (1) the recommendation(s) above is/are approved.
- (2) the recommendation(s) above is/are approved as now amended.
- (3) the recommendations above are not approved.

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**Cabinet Member for Culture and Leisure**

26<sup>th</sup> October 2006

**Keith Heyes**  
**Head of Cultural Services**

Contact Officer  
Steve West  
Parks Facilities Manager  
0121 569 3871

## Sandwell's Outdoor Water Safety Policy

### 3. Strategic Resource Implications

- 3.1 The implementation of the Outdoor Water Safety Policy will generate a capital financial implication associated with the provision of new infrastructure. It is not possible to provide an exact cost for this at present, as this will be dictated by the outcome of a water safety audit undertaken by RoSPA and officers. Based upon the implementation costs associated with resolving the recent Victoria Park issues a provisional estimate can be identified as £290,000.
- 3.2 Once implemented the Water Safety Policy and the introduced infrastructure will require to be monitored, recorded and maintained in good order. It can be expected that this will generate a revenue implication in the region of £40, 000 per annum. This sum includes provision for a ½ full time officer to co-ordinate the monitoring and recording of systems and processes, together with provision for infrastructure replacement and repair.
- 3.3 The Water Safety Policy includes specific elements that will impact upon the workforce. This includes:-
- **Alterations to the provision of rescue facilities at Sandwell Valley**  
RoSPA have expressed specific concerns over the rescue facilities in operation at Swan Pool. Operations need to be temporarily suspended whilst this element is investigated;
  - **Water Safety Training**  
There is a need for additional training for approximately 12 employees with a responsibility for the safety of open water. This will relate specifically to officers forming the proposed Water Safety Committee and involve one-days training, the costs of which are included within the identified revenue implications;
  - **Working near water**  
Specific training will be required for all frontline officers working on, near or in water. This will require risk assessments to be undertaken on all operations involving working on, in or near water, obtaining written confirmation on the ability of operatives to swim and for work place precautions to be implemented appropriately, e.g. The issuing of PPE and a suitable work method statement.
- 3.4 The Implications of the Policy will affect the Council's material assets; in that additional infrastructure will be required at outdoor sites with water. The Council will be required to ensure such infrastructure is maintained in good order. This, in addition for ongoing monitoring and reporting will place a revenue implication upon land managers with a responsibility for open waters.

3.5 The policy will impact on the Council's development procedures in that prospective developers will need to consider water safety issues within any planning application and to make provisions to meet the terms of the policy for any proposed land transfer to the Council.

#### 4. **Legal and Statutory Implications**

4.1 Although the policy has no impact upon any Legal Requirement it does however support the Council's statutory obligations under The Health and Safety at Work Act 1974, in that it outlines the procedures to be adopted in relation to risk assessments and the reduction of risk.

4.2 The policy has been written in consultation with water safety experts from RoSPA and is based upon their model policy. The document will be endorsed by them and be recognised as good practice.

#### 5. **Implications for the Council's Corporate Priorities**

5.1 The policy supports the Council's priorities of Safer Cleaner Stronger Communities and Strengthening the protection and support for our most vulnerable citizens. This achieved by the implementation of additional safety measures to outdoor water sites, supported by the implementation of improved water safety procedures and processes.

#### 6 **Background Details**

6.1 Following the recent tragic water based incident at Victoria Park, Tipton, the Royal Society for Prevention of Accidents (RoSPA) were commissioned to investigate the incident together with appraising the Council's overall provision of water safety within the Borough.

RoSPA established that the authority had no formally approved Water Safety Policy in place. To steer overall safety management of open waters they recommended that a formal policy be adopted that clearly states the Council's commitment to addressing water safety at a strategic level.

The attached Outdoor Water Safety Policy has been written in accordance with RoSPA's model documentation and has been distributed to all land managers with a responsibility for Council managed water. In its presented form the Policy will receive endorsement by RoSPA.

Approval of the policy will indicate the Council's commitment to water safety and the implementation of the factors within the document. It will however generate a significant financial implication to the authority both in capital investment for implementation and in revenue resources to maintain infrastructure and monitoring of procedures. At this stage it is not possible to predict the overall cost of implementing the policy, as this will be determined

through evaluation of the site-by-site safety audit being currently undertaken by officers and RoSPA.

- 6.2 In conjunction with The Outdoor Water Safety Policy, an audit of all Council managed still water is to be undertaken by RoSPA and a designated Council officer.

The implementation of the Outdoor Water Safety Policy and outcomes of the safety audit will generate a financial capital implication associated with the provision of new infrastructure. It is not possible to provide a cost for this at present, as this will be dictated by the outcome of the audit. A provisional estimate has been identified as £290,000, this being based upon experience of resolving the Victoria Park issues.

Initial outcomes from the audit have indicated that there will be a requirement to provide appropriate water safety signage at all sites, together with small areas of improved edge protection measures. The Implications of the Policy will therefore affect the Council's material assets; in that the additional infrastructure required for outdoor sites with water will be required to be maintained in good order. This, in addition for ongoing monitoring and reporting will place a revenue implication of approximately £40,000 per annum upon land managers with a responsibility for open waters. It is expected the full results of the audit will be available in October 2006.

The policy will also impact on the Council's development procedures in that prospective developers will need to consider water safety issues within any planning application and to make provisions to meet the terms of the policy for any proposed land transfer to the Council.

- 6.3 Although the policy has no impact upon any Legal Requirement it does however support the Council's statutory obligations under The Health and Safety at Work Act 1974, in that it outlines the procedures to be adopted in relation to risk assessments and the reduction of risk.

The policy has been written in consultation with water safety experts from RoSPA and is based upon their model policy. The document will be endorsed by them and be recognised as good practice.

- 6.4 The water safety policy includes specific elements that will impact upon the workforce, as initial outcomes from the safety audit indicates a number of personal safety issues associated with the Council's current provision. This includes a required alteration to the provision of rescue facilities at Sandwell Valley and the need for additional training for persons working on, near or in water.

6.5 Under the policy the responsibility for water safety will sit with a designated officer within the land managing section appropriate to the site and such officers will be required to sit on the proposed Water Safety Committee.

The policy further requires a designated officer to oversee delivery of the requirements of the policy, to monitor infrastructure, review risk assessments and to ensure safety requirements are being met.

The Council will be required to ensure delivery of the policy is independently audited, requiring a review being undertaken by RoSPA on a once every two year basis.