



A playworker's guide to risk

This information sheet includes details about providing a balanced approach to risk management in play settings by using the widely supported risk-benefit assessment approach. It also explores the current legislation and support from a range of sources, as well as looking at some of the current playwork theory that supports playworkers to practice as effectively as we can to extend and enhance children's opportunities to play.

Risk-benefit assessment – a definition

Risk-benefit assessment means that the play provider weighs, with equal consideration, the duty to protect children from avoidable serious harm and the duty to provide them with stimulating, adventurous play opportunities to let children take risks when they play without putting them in undue danger of serious harm.¹

Playworkers assess risk dynamically wherever they are practicing and balance the potential risks with the benefits to the playing child in line with the Playwork Principles. There are significant benefits to offering children stimulating, challenging environments for exploring and developing their abilities.

Why do we need to provide a degree of risk and challenge?

A significant amount of research is reviewed in Wendy Russell and Stuart Lester's, *Play for a Change Summary Report: Play, Policy and Practice: a review of contemporary perspectives*² that shows the major role that play makes in supporting the development of resilience, creativity, flexibility and adaptability in human beings. These useful character traits enable us all, children and adults, to deal positively with unexpected challenges that will inevitably happen during our lives.

Children need to seek out risk. It's a natural part of growing up and it's a way for them to learn how to survive and find their way in the world. If we don't introduce or support opportunities

to experience a degree of risk and challenge in a play setting, children are more likely to seek the thrill and sense of achievement that comes with overcoming fears, in places that are potentially less appropriate.

Whilst some children still have enough opportunities to play freely near where they live, some don't for a range of reasons. Parental fear is often one of the largest barriers to children playing out with their friends. Staffed play provision can offer a compensatory play space where children can experience a rich play environment to explore, that is full of challenge, whilst also helping to minimise potential parental fears that may have otherwise limited children's opportunities to play.

Managing Risk in Play Provision: Implementation guide highlights children's need to take risks and the aims of play provision: 'Children need and want to take risks when they play. Play provision aims to respond to these needs and wishes by offering children stimulating, challenging environments for exploring and developing their abilities. In doing this, play provision aims to manage the level of risk so that children are not exposed to unacceptable risks of death or serious injury.'³

Managing Risk in Play Provision: Implementation guide, which is endorsed by the Health and Safety Executive (HSE), provides support and guidance to the play sector to manage risks sensibly and proportionately.

Parental concerns

Whilst many parents will recall playing in ways that involved an element of risk, they will still naturally be concerned about their children's safety. It's possible that we may allow ourselves to be influenced by parents or carers who are frightened that their child might be harmed at our play provision. We need to reflect on this, and advocate for quality play opportunities that involve an element of risk taking or creation, however small, to ensure that we are delivering quality playwork.

Parents need to have appropriate information about the nature of our play provision. When we talk about providing opportunities for children to take risks, we are not talking about risk at all cost and parents need to know that we have suitable policies and procedures in place to minimise the danger of serious harm. Ultimately, if they are still unhappy they have the right to stop their child attending.

We should avoid changing the fundamental nature of our playwork practice in response to isolated complaints so that we don't potentially deprive many more children of a degree of risk and challenge at our play provision. However, we should take the opportunity to reflect on parental concerns as a team and discuss them with parents to build their confidence in our play provision. For example, we can share information that supports a more balanced approach to risk with parents.

Advocating for a balanced approach to risk management

There is a body of evidence and support that makes the case for using a balanced approach to risk management from a range of organisations – from the United Nations, to the UK Government and the Health and Safety Executive (HSE), to the Welsh Government.

This is particularly useful for advocating a balanced approach to risk management with individuals or organisations that historically may have been excessively risk averse, and therefore unknowingly may have (to some degree) been depriving children of opportunities that could be considered

developmentally beneficial. Examples, which may be useful for advocating for a balanced approach to risk management, include:

Wales

The Welsh Government 'recognises the significance and the value of play in children's development and that children have an innate desire to seek out opportunities to take increasing risks ... The Welsh Assembly Government is committed to ensuring that all children have access to rich stimulating environments, free from inappropriate risk, and full of challenge, thereby offering them the opportunity to explore through freely chosen play both themselves and the world.'⁴

The Welsh Government's Children and Families (Wales) Measure 2010 places a duty on all local authorities to assess and secure sufficient play opportunities for children in their area. As part of their Play Sufficiency Assessments, local authorities are asked to assess to what extent their health and safety policies 'embrace the principle of Risk Benefit Assessment as illustrated in the Health and Safety Executive's (HSE) High Level Statement on managing risk in play'.

The Measure is accompanied by statutory guidance for local authorities, *Wales – a Play Friendly Country*, which states that 'Children need to feel free to experience risk and challenge of their own volition and they will only be able to do this if we allow some degree of uncertainty to remain'⁵.

UK

In his review of how health and safety laws are used and the growth of the compensation culture in the UK, Lord Young of Graffham stated:

'A further area of concern is the impact of health and safety on children's play areas. There is a widely held belief within the play sector that misinterpretations of the Act are leading to the creation of uninspiring play spaces that do not enable children to experience risk. Such play is vital for a child's development and should not be sacrificed to the cause of overzealous and disproportionate risk assessments. I believe that with regard to children's play we should shift from a system of risk assessment to a system of risk-benefit assessment, where potential positive impacts are weighed against potential risk.'⁶

The HSE high-level statement – *Children’s Play and Leisure – Promoting a Balanced Approach*⁷ – makes clear that, as a regulator, it recognises the benefits of allowing children of all ages and abilities to have challenging play opportunities. It has four key messages:

- Playing is important for children’s wellbeing 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.

'Sensible health and safety is about managing risks, not eliminating them all. HSE is not in the business of stamping out simple pleasures wherever they appear and at whatever cost. We recognise the benefits to children’s development of play, which necessarily involves some risk, and this shouldn’t be sacrificed in the pursuit of the unachievable goal of absolute safety.’⁸

Health and Safety Executive

International

The United Nations Committee on the Rights of the Child, General Comment no. 17 on Article 31 of the UN Convention on the Rights of the Child, states:

‘A balance is needed between, on the one hand, taking action to reduce the unacceptable hazards in the children’s environment... and on the other hand, informing, equipping and empowering children to take the necessary precautions to enhance their own safety.’⁹

These examples can be particularly useful for playworkers when advocating for a balanced approach to risk management as part of their work which will ultimately lead to better play opportunities for children. This responsibility

is set out in the Playwork Principles – the moral and ethical framework for playworkers.

Playwork Principle 4:

For playworkers, the play process takes precedence and playworkers act as advocates for play when engaging with adult led agendas.

Any setting that seeks to provide for children’s play needs should adopt a play policy to make it clear to staff, parents and other professionals how they approach children’s play including risk management. To help ensure your setting has a suitable policy, model play policies that are available online can be adopted or used as a starting point.

For example, a template for a school play policy is available on our website at: www.play.wales

Fear of being sued

There are a number of examples of play, childcare and school settings that regularly provide high quality provision where the staff adopt a playwork approach that takes a more balanced approach to risk management and all of them are insured for their activities. In Flintshire for example, 17 schools to date have adopted a playwork approach at playtimes. To support this approach they have all adopted a new play policy that is in line with both the Welsh Government and their own subsequent local authority policy. To better support the management of risks they have also adopted two risk-benefit assessments.

This approach (via the ‘Playful Futures, Playful Playtimes’ project) has evidenced significant benefits for the children in terms of both the children’s own perceptions of playtime and the play value of the environments available for playing. Each school is insured for their activities via the local authority. There is also emerging statistical evidence of a reduction in accidents as a result of adopting this approach.



Similarly, in Conwy and Wrexham a Quality Assessment framework and The Rich Play Award toolkit have been adopted to assess the quality of childcare provision in terms of it meeting the play needs of children. This approach advocates for the adoption of a playwork approach and therefore a risk-benefit approach to managing risks. One of the indicators that forms part of the assessment framework ensures that providers have agreed this approach with their insurers: 'We have a policy that explains our balanced approach to risk management and this has been agreed with our insurers'¹⁰.

All play provision that employs playworkers must be insured against claims for compensation due to injury. If a risk-benefit assessment has been undertaken and we can prove that we have taken reasonable care, we are not personally liable and it is up to the insurance company to settle the claim as it wishes.

If you have difficulties securing insurance there are specialist brokers who can assist in helping you identify a suitable insurer who has an understanding and appreciation of the merits of a playwork approach.

A legal opinion from a barrister

'I conclude that it is entirely legitimate... to emphasise... the need to balance against the risk of injury, the benefits to children and young persons of undertaking play activities within an acceptable level of risk. Central, however, to the exercise of the balance is the undertaking of a careful risk assessment. Where there has been a careful risk assessment, resulting in a conclusion that it is permissible for play to involve a risk of injury, by reason of the resultant benefits, I am confident that Courts would be sympathetic to a Defendant, in the event of an accident and subsequent litigation.'¹¹

What is included in a typical risk-benefit assessment?

A typical risk-benefit assessment includes sections examining the benefits, risks (expert or specialist views), local factors, precedents and comparisons, a decision such as: increase the risks, do nothing, monitor the situation, mitigate or manage the risk, remove the risk. It would also detail actions and how the ongoing management of the risk will be dealt with. Examples of both a blank risk-benefit assessment template, and a worked example (based on a tree swing) can be downloaded at:

www.play.wales/play/play-and-risk

What does balancing risk with developmental benefit and wellbeing mean in practice?

The Playwork Principles are the moral and ethical framework that underpins the playwork profession. Playwork Principle 8 states: Playworkers choose an intervention style that enables children and young people to extend their play. All playworker intervention must balance risk with the developmental benefit and wellbeing of children.

We could think of it as ‘To intervene or not to intervene? That is the question’. To some degree this is the most important question for practicing playworkers as we dynamically assess emerging risks within the play space. There are usually numerous play behaviours going on at any one time and playworkers will be observing to see whether an intervention is required, whilst also recognising that the minimum intervention is always the preferred option unless a child is likely to come to ‘significant’ or ‘unreasonable’ levels of harm, physically or emotionally.

The terms ‘significant’ and ‘unreasonable’ are subjective terms – where one playworker may choose to draw the line and intervene, another may not. This is because we are all unique individuals who carry with us all sorts of experiences and memories that inform our professional practice.

For example, a playworker who is afraid of heights may intervene earlier in a child’s tree climbing than a playworker who is a keen rock climber and is comfortable at heights themselves. Therefore, being aware of our own triggers in various situations can be a useful tool when reflecting on our practice to inform future decisions that we may make when observing the playing child.

‘Striking the right balance between protecting children from the most serious risks and allowing them to reap the benefits of play is not about eliminating risk. Nor is it about complicated methods of calculating risks or benefits. In essence, play is a safe and beneficial activity. Sensible adult judgements are all that is generally required to derive the best benefits to children whilst ensuring that they are not exposed to unnecessary risk.’¹²

It is these ‘sensible adult judgements’ that playworkers are most concerned with. There is a significant body of playwork theory that we will look at in more detail that supports our professional practice.

Applying a risk-benefit approach in practice

Striking the right balance between the risks posed and the potential benefits to the playing child is probably where a practicing playworker will give the most thought from day to day. This coupled with ongoing reflection about whether our potential interventions were correct or not ultimately underpins our professional practice and supports us to make more informed judgements in the future.

As Professor Fraser Brown noted: ‘The playworker has to walk a daily fine line between freedom and protection. On the one hand we must guard against over-protection, which merely means children never get to test boundaries and learn about their own limitations. On the other hand, it would be irresponsible to allow children to put themselves in harm’s way.’

He goes on to consider that one of the unique elements of playwork is 'A general acceptance that risky play can be beneficial, and that intervention is not necessary unless a safety or safeguarding issue arises'.¹³

To intervene, or not to intervene? That is the question

Playwork qualifications and training often encourage playworkers to consider the thought process they undertake as they are observing the playing child about whether to intervene or not. As humans, we are all dynamically assessing hazards and weighing up the risks they may pose all the time. For example, if we are walking down the street and there is a huge dangerous hole in front of us, would we walk into it? Of course we wouldn't, we would dynamically assess the risk. Firstly, we would identify the hazard, and then decide what to do about it – probably to walk around it! Humans are very good at dynamically assessing risks as we do it all the time and children develop these skills, through playing, from a young age.

As part of playwork training, we teach the acronym 'SLLRRRP' which stands for:

Stop
Look
Listen
Reflect
React
Reflect
Practice

Before we intervene we should take a moment to stop ourselves, take account of what is going on before we react and then reflect on our interventions to inform our future practice. This is sometimes visually expressed as a flowchart to support us to consider more broadly whether we should allow what we are observing to continue, or whether we perhaps need to intervene. Perhaps we wouldn't need to stop what we see altogether, but could instead offer suggestions about how the situation could be modified in some way as to reduce the unacceptable level of risk to one that is acceptable.

The ABC Model of Dynamic Risk-Benefit Assessment

The *Dynamic risk management of common but potentially hazardous play opportunities*¹⁴ guidance paper developed by Play Wales supports more in-depth thinking of how accidents can occur when children play. This model aims to support practitioners' dynamic assessment of risk by identifying potential:

- **A**ctions that are likely to result in harm
- **B**ehavioural Modes of children that may lead to them having a diminished awareness and ability to manage risk for themselves and/or others around them
- **C**ontext specific factors that may increase the likelihood and potential severity of harm.

Hence, the ABC model to dynamic risk assessment.



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The ABC model is intended to support dynamic risk assessment by practitioners when working with playing children in staffed play provision. It recognises that, whilst children's play behaviours can be complex and present themselves in many different forms, the ways in which serious harm might occur are likely to be similar across different forms of behaviour. For example, the ways injury could occur, and the factors that practitioners need to take into consideration, are likely to be similar whether children are climbing a tree, swinging on a rope or sliding down a mud bank.

Making risk-benefit judgements

Given the benefits of children being enabled to play freely, the general rule should be to allow as much as possible so long as it does not overly constrain another person's right to play or put the player or other people at unreasonable risk of serious physical or emotional harm (this may include bringing the play provision into disrepute which might ultimately result in it not being delivered).

Getting to know children

If we are unfamiliar with the children we are working with we usually take a slightly more cautious approach until we feel confident that we have a deeper understanding of each of their unique capabilities and competencies. Over time, we can start to introduce more challenging opportunities as we build a deeper understanding of what the children usually can and can't do. These decisions are all underpinned by regular observations of children playing and then reflecting on what we have seen, both individually and as part of a wider team. Ultimately this enables us to extend and enhance children's play opportunities.

We always bear in mind that children will naturally seek out risk and uncertainty as part of their play. In reality, they will sometimes actively seek out risk when they play so that they can try to master being 'in control of being out of control'. For example, a child who is learning to ride a bike will often make that process more challenging,

a little at a time, by perhaps trying to ride their bike with only one hand on the handlebars, and then with no hands at all as they feel able to do so. Professional mountain bikers and BMXers all probably started off cycling with the support of their parent's hand on their balance bike or supported by stabilisers!

Some play provision, such as a seasonal summer playscheme, may not give us enough opportunity to get to know the new children as well as at a year-round provision such as an adventure playground. If this is the case, we use our judgment and we only support more challenging play opportunities if we are comfortable to do so and feel that the risk of harm is 'reasonable'. There are lots of exciting play possibilities we can provide that offer the thrill of uncertainty with little risk of harm. We can always save more ambitious ideas for a more appropriate time.

Importance of knowledge and reflecting on our practice

Playwork Principle 6:

The playworker's response to children and young people playing is based on a sound up-to-date knowledge of the play process, and reflective practice.

Reflective practice is central to improving and making more informed choices about our professional practice and we should take opportunities to reflect both individually and with our peers.

The more we practice as playworkers, the more observations we make of children playing and the more choices we will have made about trying to get the balance right. Reflective practice is the process of continuous learning through the successes and mistakes we make and using them to make small improvements over time.

Useful questions to ask ourselves include:

- Did my interventions increase opportunities for children to play?
- Did my interventions support children to manage risks for themselves?
- Should I have intervened when I didn't?

Having a sound and up-to-date knowledge of the play process is key to playworkers being able to respond appropriately to children and young people. We get this knowledge from a variety of sources and channels such as academics, researchers, our peers, books, guidance papers, websites, qualifications, training and attending forums and conferences to name but a few.



References

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¹² *Children's Play and Leisure – Promoting a Balanced Approach*

¹³ Brown, F. (2017) *What is Unique about Playwork?*
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¹⁴ Bazley, S., Barclay, S. and Bullough, D. (2016) *Dynamic risk management of common but potentially hazardous play opportunities*. Cardiff: Play Wales



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Play Wales is the national organisation for children's play, an independent charity supported by the Welsh Government to uphold children's right to play and to provide advice and guidance on play-related matters.