

Oxfordshire Play Policy

April 2009

This policy should be read in conjunction with the guidance notes below.

The term 'play spaces' refers to any space that we intend to make playable for children and young people. This includes designated playgrounds, the external space around early years settings, schools and young people's centres and other public spaces.

- 1 Oxfordshire Children and Young People's Trust adopts this policy and asks its members to support the principles outlined below and explained in the attached guidance.
- 2 The Trust recognises the importance and **value of play** in the development of children and young people and for the benefit of society as a whole. Play is essential for physical, emotional and spiritual growth and for intellectual, educational and social development.
- 3 The Trust believes that all children and young people want and need opportunities to play. Play provision should be welcoming and **accessible** to every child, irrespective of gender, economic or social circumstances, ethnic or cultural background or origin, or individual abilities. Although play spaces should be accessible to all, this does not mean that all children need to be able to do everything within a play space.
- 4 The Trust recognises that the best play provision is designed to offer all children and young people access to a wide range of experience in settings, which support acceptable levels of risk. This means that children should not be exposed to unacceptable risk of death or permanently disabling injury. Other kinds of risk may be acceptable if the social benefit is evident. We acknowledge the need to allow **challenge and risk** in play settings and we will always assess risk in conjunction with the possible benefit of any provision.
- 5 The Trust wants people of all ages to be able to share play spaces where possible. This may not always be appropriate but, subject to local discretion and conditions, there should be no presumption against children, young people and adults of **all ages** having access to quality play opportunities.
- 6 The Trust wishes to create beautiful spaces that inspire, engage, challenge and are well cared for. We will seek to commission experienced play **landscape** designers in the process of developing or upgrading play spaces. We will ensure that an appropriate budget is allocated to the design and build of external space when creating or redeveloping an early years setting, a school or a young people's centre.
- 7 The Trust will **engage** local children, young people, parents, carers and residents in the development of play spaces and will put their views at the heart of developments.
- 8 The Trust wants children and young people to be able to organise their own play but we recognise the importance of supervision and support and will encourage the development of an adequately resourced **workforce** that is confident, well informed, properly trained and that understands concepts around risk, safeguarding, inclusion, challenge and participation.

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Guidance Notes

1 Introduction

This guidance has been produced for Oxfordshire Children and Young People's Trust and all its constituent members. It sets out the background and rationale for a play policy. **The policy itself is brief** but it is recommended that the full guidance is read and understood by those adopting the policy. This document should be read in conjunction with the Oxfordshire Play Strategy 2009/11 and Oxfordshire Play Action Plan 2009/11.

2 Background

Article 31 of the United Nations Convention on the Rights of the Child recognises *'the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.'*

In May 2007, the Oxfordshire Children and Young People's Trust adopted a Play Strategy for the first time. This is shared by Oxfordshire County Council and the five district/City Councils and was generated by the Oxfordshire Play Partnership (OPP), which includes representation from all District and County Councils, Oxfordshire Association of Local Councils (OALC) and the voluntary sector. It includes the following vision:

- We want play and playfulness to be more part of all of our lives. We want to feel safe enough to play and have the freedom to have fun.
- Within structured settings, we want children and young people to have opportunities for child-led play supported by adults.
- We want natural play spaces to be easily accessible to all children and young people.
- We aim to make it easier for people of all ages to play outdoors on their own and with each other and for children, in particular, to discover the adventure in creating their own play.

Since the launch of the strategy, OPP has focused on three things:

- Improving the infrastructure to support voluntary sector play provision
- Improving the quality of play spaces
- Changing attitudes to play especially with regard to risk

Government has published a national *Play Strategy* supported by very helpful guidance: *Design for Play and Managing Risk in Play*¹. Oxfordshire has renewed its own strategy and both share the following vision:

- In every residential area there are a variety of supervised and unsupervised places for play, free of charge;
- Local neighbourhoods are, and feel like, safe, interesting places to play;
- Routes to children's play space are safe and accessible for all children and young people;
- Parks and open spaces are attractive and welcoming to children and young people, and are well maintained and well used;
- Children and young people have a clear stake in public space and their play is accepted by their neighbours;
- Children and young people play in a way that respects other people and property;
- Children and young people and their families take an active role in the development of local play spaces;
- Play spaces are attractive, welcoming, engaging and accessible for all local children and young people, including disabled children, and children from minority groups in the community.

¹ www.dcsf.gov.uk/play/

The national and county strategies both point to a need to establish a common sense approach to the development and maintenance of play spaces, which is based on an understanding of the meaning and value of play. A first step towards this is the adoption of a Play Policy. During the autumn of 2008, four workshops were provided by OPP to promote play policies. These were facilitated with PLAYLINK² and attracted 63 people from the County Council, all five district councils, six town councils, sixteen parish councils, Thames Valley Police and four other organisations. This policy is based on a model policy provided by PLAYLINK.

3 Why have a play policy?

- **Principles:** To establish a long term commitment to basic principles with regard to play
- **Risk mitigation:** To establish a framework which demonstrates that providers have acted properly where negligence becomes an issues
- **Resources:** To establish a rationale and justification for the allocation of resources
- **Design:** To establish an approach to play space design which is environmentally sensitive and inspiring.
- **Engagement:** To generate debate and enthusiasm amongst local children, parents and the wider community.

In order to ensure that the development of play opportunities delivers what we want for children, young people and communities we need to agree a set of values and principles, which are established for the long term and inform our strategic planning and delivery.

Oxfordshire Children and Young People's Trust and all Parish, Town, District, City and County Councils have adopted or are being asked to adopt a relevant version of this policy.

4 What is play?

We define play as children and young people following their own ideas and interests in their own way and for their own reasons, having fun while respecting themselves and others.³

5 Why does play matter?

- All children and young people need to play. The impulse to play is innate. Play is a biological, psychological and social necessity, and is fundamental to the healthy development and well being of individuals and communities.⁴
- Play keeps us physically healthy and reduces obesity
- Play makes us feel happier and less likely to be depressed and unconfident
- Playing outside keeps us in touch with the natural environment and making healthy play spaces is good for the environment
- Play helps us learn by working with others, solving problems and negotiating rules.
- Play helps create good friendships and playing with family members improves family life
- Play helps us learn how to manage risk
- Play helps us become more independent
- Play helps us get on better with each other across the generations, across cultural divides and regardless of disability⁵

This means that play is the concern of all members of the Trust as it has a significant role to play in improving public health, cultural life, personal and community safety, educational outcomes, risk identification and management, community cohesion, social inclusion and the public realm.

² www.playlink.org

³ From the national and county strategies

⁴ From Playwork Principles www.playwales.org.uk

⁵ From Oxfordshire Play Strategy 2007

6 Principles

All children and young people

- are entitled to respect for their own unique combination of qualities and capabilities
- should have their opinions and reactions taken into account
- are part of, and contribute to, the cultural life of their communities
- have a right to be seen, heard and provided for in shared public space to the same degree as adults
- have a right to play environments that offer challenge, stimulation and delight but are free from unacceptable levels of risk
- have the right to expect consistency and clarity in adult values. Children and young people must see the connection between stated policy and what actually happens. They need to feel part of a community of trust and co-operation
- should be able to control their own play activity (without unacceptably impinging on others). This is a crucial factor in enriching their experience and enhancing their development
- need have no task or product when they play, though the child or young person may decide differently from time to time.⁶

7 What do we mean by ‘all children and young people’?

- All children and young people want and need opportunities to play. Play provision should be welcoming and accessible to every child, irrespective of gender, economic or social circumstances, ethnic or cultural background or origin, or individual abilities.
- Places for play should be *accessible* to children and young people. This does not mean that everything within a play setting has to be accessible to every child. One key aim is that disabled children and young people should be able to engage socially - as distinct from being able to 'do' everything - with others using the playground.
- Disabled children and young people need, as much as any other child, opportunities to stretch themselves, overcome fears, make mistakes, to fail and to succeed. It is therefore counter-productive to make everything within a play space easy to access, or immediately usable by every child and young person.
- Subject to local discretion and conditions, there should be no presumption against children, young people and adults of all ages having access to quality play opportunities.⁷

8 Public realm

Development of the public realm should always seek to encourage shared use of public space and include playable space. Local Development Frameworks and planning and procurement guidelines should always apply this policy.

9 What about risk?

Without opportunities to take acceptable levels of risk, children’s development is inhibited, undermining their capacity to deal with the wider – unsupervised – world.

‘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...In play provision, exposure to some risk is actually a benefit: it satisfies a basic human need and gives children the chance to learn about the real consequences of risk taking.’⁸

⁶ From PLAYLINK model play policy

⁷ From PLAYLINK model play policy

⁸ Managing risk in play provision: A position statement. www.playengland.org.uk

Serious injury could reasonably be described as permanently disabling injury.

If play provision fails to offer children varied and interesting experiences, it is **reasonable** to be concerned that children may seek challenge and stimulation elsewhere, in areas that may contain **unacceptable** levels of risk. Equally, if children are denied opportunities to assess some risks for themselves in a variety of settings and situations, then it is **reasonable** to be concerned that they will lack the experience and skills to distinguish between levels of risk in the wider world.

9 Risk and benefit assessment

Councils understand that where there is a risk of injury in a play space for which they are responsible, they have a duty to assess and manage, even remotely, that risk. Risk assessment should be holistic and, critically, must take proper account of the social and play benefit of any activity.

*'... it is entirely legitimate...to emphasise, in [a] Play Policy, 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.'*⁹

We will ensure that our representatives undertake **play specific** training to enable them to conduct risk/benefit assessments, where appropriate, and to develop control measures appropriate to the agreed level of benefit.

10 Play Space Design

It has become common practice for authorities to commission playground equipment manufacturers to design their play spaces. In the development of early years, secondary and youth service buildings, architects and contractors are generally specialists in building design. Some of these companies now employ experienced landscape designers but others remain competent only in the manufacture of equipment or in the design of buildings. It is important to commission the design of external space from landscape designers that specialise in play space design and school ground design and who understand the 10 principles published by DCSF and DCMS and endorsed by HSE and RoSPA which state that successful play spaces...

- Are bespoke
- Are well located
- Make use of natural elements
- Provide a wide range of play experiences
- Are accessible to both disabled and non-disabled children
- Meet community needs
- Allow children of different ages to play together
- Build in opportunities to experience risk and challenge
- Are sustainable and appropriately maintained
- Allow for change and evolution¹⁰
- Involve children, young people and communities

Suggestions for possible approaches include¹¹:

A varied and interesting environment: things at different levels, spaces of different sizes, places to hide, trees and bushes, open spaces, made things, places to inspire mystery and imagination.

⁹ Counsel's opinion by Raymond Machell QC for PLAYLINK

¹⁰ Design for Play www.teachernet.gov.uk/publications

¹¹ From www.playengland.org.uk/resources/best-play.pdf

Challenge in relation to the physical environment: activities, which test the limits of capabilities, rough and tumble, sports and games, chase.

Experiencing the natural elements - earth, water, fire, air: campfires, digging, playing snowballs, flying kites.

Movement - e.g. running, jumping, rolling, climbing, balancing: beams and ropes, soft mats, bike riding, juggling equipment, ladders, space.

Manipulating natural and fabricated materials: materials for art, cooking, making and mending of all kinds; building dens; making concoctions; using tools; access to bits and pieces of all kinds.

Stimulation of the five senses: music making, places where shouting is fine, quiet places, different colours and shapes, dark and bright places, cooking on a campfire, rotting leaves, a range of food and drink, objects that are soft, prickly, flexible, large and small.

Experiencing change in the natural and built environment: experiencing the seasons through access to the outdoor environment; opportunities to take part in building, demolishing, or transforming the environment.

Social interactions: being able to choose whether and when to play alone or with others, to negotiate, co-operate, compete and resolve conflicts. Being able to interact with individuals and groups of different ages, abilities, interests, gender, ethnicity and culture.

Exploring identity: dressing up, role-play, performing, taking on different kinds of responsibility.

Experiencing a range of emotions: opportunities to be powerful/powerless, scared/confident, like/disliked, in/out of control, brave/cowardly.

Actions that could result in unacceptable risk of death or permanently disabling injury (such as fire) should be properly assessed against benefit and managed on a case-by-case basis rather than ruled in or out on principle.

We will seek advice from experienced landscape designers before embarking on the development or upgrade of external space designed for play or outdoor learning. We will ensure that an appropriate budget is allocated specifically to the design and build of external space when building or redeveloping an early years setting, a school or a young people's centre.

11 Engagement

- The views of children, young people and communities should be taken into account when making decisions about their play opportunities.
- The process of finding out, and responding to, children's needs and wishes is more likely to occur where a culture of dialogue and conversation is nurtured.
- Informed engagement in decision-making requires a shared understanding of concepts and meaning. Concepts such as 'play', 'acceptable risk', 'serious injury' mean different things to different people. Engaging without first establishing a common understanding about key terms is unlikely to yield useful results.
- Significant amounts of information already exist about children and young people's play wants and needs. Sources of information include local surveys and national research. Our own adult knowledge and memory of what we enjoyed as children is important. Unobtrusive observation of children and young people when left to their own devices is also a very useful source of information and ideas.

12 Implications of this policy

This policy offers a long-term set of principles, which will be applied in different ways at different times by different organisations. The key implications are:

- There will be a growing emphasis on play within all strategic developments, given the demonstrable contribution of play to improving health outcomes, community safety, educational outcomes, social inclusion, enriching cultural life and supporting community cohesion
- Attitudes to risk will change and authorities will take a risk/benefit approach (in line with HSE and RoSPA recommendations) that will require a review of health and safety checklists and training. Public messages will need to be altered to explain that allowing risk into playspaces, if properly assessed and managed, will improve safeguarding and children and young people's ability to identify and manage risk for themselves. Arrangements with insurers and the handling of negligence claims may be affected.
- Procurement guidelines will change to ensure that external space design contributes to the Trust's vision. This will be particularly true of school building and grounds capital development programmes.
- Planning documents may need to put greater emphasis on the 'playability' of public space and the development of the public realm will need to take more account of facilitating shared intergenerational use of space. Creating safe routes to play has implications for transport planning.
- Consultation and engagement with children and young people about public space including school grounds and play spaces will be required and may affect budgets.
- Ensuring that sites are inclusive and welcoming of all groups may have resource implications, e.g. provision of accessible toilets for children and disabled parents
- As the design and use of playable space changes, so will maintenance requirements. This may produce extra costs or savings.
- There will be an increased emphasis on training of staff who traditionally would not regard play as central to their remit, e.g. park officers, community police officers, health and safety officers, playground supervisors and teaching assistants.

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