

LAST MONTH, the BSI confirmed its approval for a project to revise and retain BS 8409 and remove material conflicting with EN 1176 from it. The result will be the continued benefit for indoor play facility operators in having a British Standard operational Code of Practice – which the new Part 10 is not.

Although complying with standards is recommended as good practice it is not a legal requirement, unlike risk assessment. This, when undertaken by a competent person should be used to determine what action, if any, needs to be taken.

Recently, Playlink took a look at the

legality of this 'risk assessment' question. They said, "The answer ... confirms our view that there is no in principle legal impediment to creating exciting, challenging, imaginative places for play."

Compliance is not a legal requirement, unlike risk assessment

The response of Raymond Machell QC is reported as: 'in my opinion, the proper approach to British or European standards is not to regard them as laying down a compulsory standard to be followed slavishly in all cases, but as a guideline demonstrating the general consensus as to what would constitute sensible precautions in any given case. If a rational

process of risk assessment, together with a balance of cost, risk and benefit can justify departure, then there would be no failure to exercise reasonable care.'⁽¹⁾

Thus, the ever-expanding indoor play industry – which is to be found in locations as diverse as leisure centres, travel termini and retail shopping malls – has a future (where not compliant) with best practice guidance in equipment design and operation together with a professional risk assessment method. API member companies can be relied on to design and deliver indoor play spaces that meet standards and guidelines or which pass the most thorough of risk assessments. ■

(1) Source: www.playlink.org

Risk assessment remains key

New indoor play standard EN 1176 Part 10 is on its way but will not now automatically supersede the good operational practice guidance in the earlier and still current BS 8409.



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