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Summary Report: Key Informant Interviews

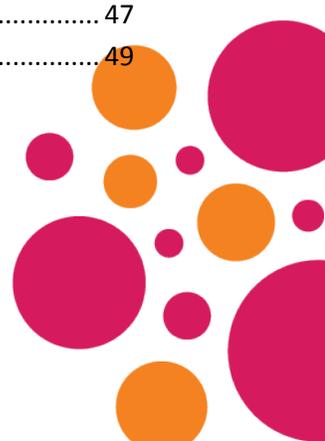
Canadian Public Health Association

2018

“Play is the highest form of research” –Einstein

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EXECUTIVE SUMMARY

Unstructured play is integral to healthy child development and provides experiences that can equip children with risk management and interpersonal skills necessary to thrive as adults. However numerous relationships influence and limit access to unstructured play opportunities in Canada, and ultimately affect healthy child development. These relationships exist between parents, municipalities, schools boards, and insurance/risk management. All levels must be addressed in order to improve current access to unstructured play.

This report provides a summary of the results from key informant interviews that were conducted by the Canadian Public Health Association (CPHA) with funding from the Lawson Foundation. Their purpose was to understand the decision-making challenges, concerns, and barriers to providing unstructured child-led play opportunities in Canada and what strategies could mitigate them. With this information, CPHA will develop a tool kit of options that could be used by communities with the goal of increasing access to the benefits of unstructured child-led play.

Social Context

Key informants indicated that **societal and parental attitudes have shifted**; there has been a change from what parents would do as children verses what they allow their children to do. Factors mentioned as influencing this change include:

- Canadians live within a competitive society of achievement with scheduled extra-curricular activities before and after school;
- Traditional and social media deliver messaging that can provoke fear around unstructured, child-led play;
- Peer pressure from other parents (approving their children to participate in certain activities or not);
- Changing family structures with busier schedules and little time from free-play; and
- A risk adverse society that is reinforced by cultural cognition.

Decision-making challenges

Decision-making challenges that were identified as affecting access to unstructured play opportunities are divided into four thematic categories.

- **Financial Concerns** are faced by both municipalities and school boards. These include:
 - Limited access to funding or granting opportunities for play environments;
 - Costly building, maintenance and programming costs, specifically for natural playscapes; and
 - High insurance premiums which increase after a claim or lawsuit.
- **Legal concerns** such as fear of litigation or liability resulting from an injury were the most commonly mentioned and largest challenge that resulted in:
 - Fear-based decision making that limits children's engagement in challenging play, regardless of the importance for child development;

- A “chilling effect” when insurance and risk managers make on-the-ground decisions to limit risks in play or remove play opportunities/activities to reduce liability without considering developmental benefits; and
- Insurance companies increasing safety requirements to avoid costly claims.
- *Challenges arising from policies, laws, standards, and guidelines* are diverse and include:
 - Restrictive rules and policies such as activity bans or removed apparatus in school and municipal settings. This is often a result of parent complaints and/or claims, and is implemented as a measure to ease litigation concerns.
 - The lack of loose parts and nature play policies/standards/guidelines from school boards, Ministries of Education and their omission from the CSA Playground Standards Z614. This results in conflict and confusion in planning and implementation for these types of play, including uncertainty around the sourcing and storing of materials, safety requirements, and supervision ratios.
 - A lack of designated time outlined by supervision policies and teacher collective agreements, which can reduce the willingness for challenging unstructured play opportunities.
 - Operational conflicts resulting from acts and regulations (such as the Child Care Act and Education Act) and various curriculum-related challenges.
 - By-laws and zoning that impede children’s abilities to play, such as fines for climbing trees, and bans on street play or street hockey.
 - The de facto application of the CSA Playground Standard Z614 as a “minimum safety requirement/guideline”, or “best practice” by most (if not all) schools and municipalities, while it is a voluntary Standard (not required by law) and does not specify its intended use.
 - Risk and insurance managers making on-the-ground safety decisions without considering child development thereby implementing the play options with the lowest risk of injury.
 - Provincial accessibility Acts and the CSA Playground Standards Z614 Annex H are poorly understood and inconsistently implemented across Canada.
 - Implicitly designating specific areas for accessible play can perpetuate stigmatization of a disability; limit the number of diverse play experiences; result in the perception of boring playspaces by typically developing children; and exclude children with non-physical disabilities.
- Multiple issues regarding *terminology, the existing evidence-base and reporting* were identified by key informants, including:
 - Inconsistent use of play terminology and definitions. The use of the word *risk* without considering its definition: often it carries a negative connotation specifically within municipality and school board risk-management divisions and *risky play* may then become a low priority.
 - Concerns around injury data reporting and collection methods, such as: denominators in play statistics that cannot be readily compared (i.e. it is difficult to compare the number of children using playgrounds compared to those enrolled in organized sport); the lack of collected exposure data; unknown demographic data; and the rationale for using Canadian Hospitals Injury Reporting and Prevention Program (CHIRPP) data (which includes backyard injury data) as a foundation to inform and make significant changes to the CSA Playgrounds Standards Z614.

- The lack of knowledge mobilization of the evidence to inform best practices.

Managing risks in play- currently

Key informants were asked how they are **currently managing risks in play**. A list of currently used tools is provided in Table 2. Respondents noted that they:

- Consult literature, relevant legislation, similar organization's policies, and information from credible experts;
- Document all processes to demonstrate that a risk management approach was applied;
- Provide adequate, cautionary signage to inform users of inherent risks in an activity;
- Provide substantive parent/guardian education on risks their children may be exposed to and the benefits of an activity;
- Consider environmental and demographic factors by conducting site assessments, the risk-benefits of an activity or play space, and consider the physical literacy of children and their social connectedness;
- Use informed consent forms to encourage knowledge sharing around the benefits and risks of an activity or play environment, sharing responsibility between the entity and the parent/guardian;
- Collaborate with legal departments, risk management teams, building facilities managers, education consultant teams, teachers, principals, educators and health and safety officers; and
- Involve the community when developing play space policies.

Moving Forwards

Key informants were asked to identify approaches to mitigating the concerns of organizations, municipalities and school boards to improve the current avoidance of unstructured, child-led play. Identified solutions are presented in six thematic categories below.

- *Alterations or development of policies, laws, standards or guidelines to improve accessibility and availability of play opportunities.* Key informants indicated the need for:
 - Flexibility in applying the CSA Playground Standard Z614 so that they can be more considerate of child development needs.
 - Allowance and use of alternate standards or approaches (beyond the CSA Standards) in play environments; for example, borrowing standards from other countries or relevant fields, like sporting equipment, when applicable.
 - A more representative and balanced process to the CSA Playground Standard Z614 Advisory Committee.
 - Solutions to reduce law suits and the desire to seek compensation for injuries, including the development of additional avenues for compensation and tort law reform.
 - Measures to improve neighbourhood safety, such as:
 - Enforce reduced speeds in residential areas to address traffic concerns and encourage active transportation; and
 - Remove by-laws that limit street play.
 - Removing restrictive play policies at school, such as limiting recess as a disciplinary action and activity bans.

- Encouraging and incentivise community design policies to include diverse elements that allow for children to slide, climb, balance, swing, and use loose parts, sand and water.
- Improving playspace accessibility by applying universal design principles; include loose parts play; and promote inclusive design by consulting with children with disabilities, their families, and other stakeholders.

Key informants were also asked if they would support the development of a loose parts policy or guideline. The majority indicated their interest in such a loose parts policy or guideline. It could outline measures to remove hazards and balance safety with developmentally appropriate play materials. The goal of the policy or guideline would be to provide a risk management approach to this type of play, by managing risks to a reasonable limit. However, concerns were raised that a policy/guideline may become a barrier to accessing loose parts play if they were too comprehensive. Further concerns were raised around over-structuring play that is meant to be unstructured, and the need for play worker/teacher training coupled with the implementation of the policy/guideline.

- *Improve professional training and development.* The need for ongoing professional development around unstructured play was identified in a variety of domains. These results are presented in table format (Table 2) by topic where further education or professional training is required and the sector that may benefit from the training. For example, early childhood educators, and play workers may require further training around facilitating play (rather than supervising), while teachers, school boards, municipal leaders, politicians, and bureaucrats may benefit from education on the litigation process, liability and due diligence legally required within a play environment.
- *A call for national, provincial/territorial, municipal governments and organizational leadership,* including the need for:
 - Ministries of Education, municipal officials, and school boards to develop a mandate and/or policies/guidelines that support opportunities.
 - Greater financial investment from governments to establish play environments for healthy child development.
 - Organizations and institutions where unstructured play is currently promoted should support increased awareness, education and importance of its benefits.
- *The need to change societal perceptions to stop the movement away from play,* which requires:
 - Knowledge sharing and education with parents, teachers, principals, politicians, and municipal councillors concerning the benefits of unstructured play and to reduce anxiety and demystify fears;
 - Knowledge translation experts and researchers educating the media to provide balanced coverage around fear provoking stories;
 - Taking measures to address public stakeholder readiness by aligning play with larger priorities (such as those set out by Ministries of Education) and framing the importance of unstructured play in a way that is meaningful to the audience.

- *Facilitate collaborative decision-making* by encouraging the involvement of all parties who influence unstructured play opportunities from the start of a decision-making process, by:
 - Bringing together multiple sectors to mitigate fear associated with unstructured child-led play and addressing cross-sector biases;
 - Encouraging knowledge sharing; and
 - Involving risk management and insurance sectors in decision-making as a means of developing risk-management assessments, processes and procedures.
- *Greater use of the evidence base.* Utilizing the existing evidence base relating to the benefits of unstructured play gives merit to decision-making. Schools and municipalities are encouraged to use the evidence base to demonstrate the value of play; reasonableness in play-related decision-making; and the likelihood of injury. Key informants called for the development of more evidence-based materials that are endorsed by multi-sector groups, demonstrating a wide base of support. Further, there is a need to develop simple, plain language, evidence based materials that decision-makers can use to confidently build the rationale for a decision. Table 3 outlines the research and evidence based materials that key informants indicated are needed.

CHAPTER 1. INTRODUCTION

Background

Canadians are increasingly concerned about managing the challenges that their children assume, and often limit their access to the benefits of unstructured child-led play. This type of play is where children follow their own instincts, ideas, and interests without a defined purpose or outcome. It is not initiated in an organized, planned, or formal way, and may include thrilling and exciting forms of play that provide opportunities for challenge while allowing the child to determine their own limits.¹ Categories could include: 1. play at “great” heights, 2. play at high speed, 3. play with dangerous tools, 4. play near dangerous elements, 5. rough-and-tumble play, and 6. play where the children can “disappear” or get lost.²

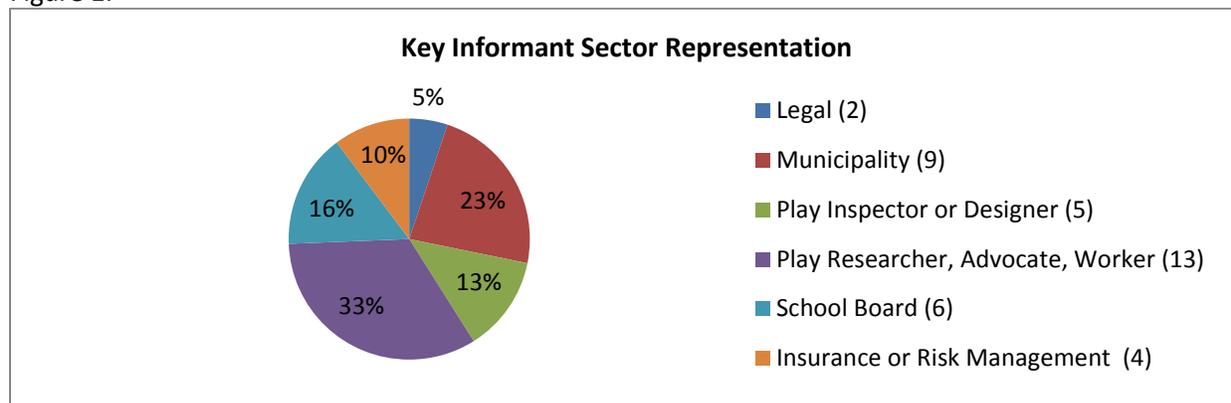
Unstructured play is integral to healthy child development and provides experiences that can equip children with risk management skills necessary to thrive as adults.³ Meanwhile, the concerns of city and school board officials are focused on increased insurance costs and the likelihood of law suits that might result from accidents in play areas and school grounds.⁴ This short-term approach is focused on injury prevention and plays against the longer term benefits of providing children the opportunity to play in areas that provide rich experiences.

To investigate the reasons for this situation, CPHA conducted semi-structured key informant interviews with legal experts, school boards, insurers and risk managers, municipal council members and department leaders, play researchers, advocates, and workers, as well as playground designers and inspectors. The purpose was to understand the decision-making challenges, issues, and barriers, from a Canadian context, to providing access to unstructured child-led play opportunities in the community and at school. This report summarizes the main views of key informants.

Key Informant Interviews

Key informant interviews provide a deeper insight and understanding of the lived experiences, opinions, and perspectives of key players making decisions that potentially limit access to unstructured play. Those interviewed were experts in their respective fields with senior decision-making responsibility. A total of 39 key informant interviews were conducted with 42 participants. There was representation from six provinces: British Columbia, Alberta, Saskatchewan, Ontario, Quebec and Nova Scotia. The majority of respondents were located in Ontario and over two-thirds were working in an urban setting. Figure 1 shows the number of interviews conducted per key informant sector.

Figure 1.



All interviews were transcribed, reviewed and approved for accuracy by the interviewee prior to qualitative exploratory analysis. As the selection and knowledge of the key informants is crucial to interpreting the results, interviews were categorized based on their respective sector to allow for comparative analysis across sectors. Interview content was thematically coded using an emergent framework approach. Each interview represents one unit of analysis. The language used within this report is reflective of the opinions and perceptions of participants.

See Appendix 1.a for further details on methods and Appendix 1.b for the interview questionnaire template.

CHAPTER 2. THE SOCIAL CONTEXT: A CHANGE IN PARENTAL ATTITUDES

Key informants indicated that parental attitudes have changed from what parents would have done themselves as children versus what they allow their children to do today. Children increasingly spend time in front of a screen, have become less active, play less freely, have more limits placed on them in and out of school, and are under constant surveillance.

“At the heart of this is a social change” – Play Space Inspector

A. Living within a “Society of Achievement”

Society has become increasingly competitive with the pressure to be at the ‘top of the game’ in clothing, sports, school, and extracurricular activities. There is a decreased value in making mistakes and learning from your mistakes. Key informants indicated that we have lost regard for the play that yields natural creativity and have replaced it with structured activities before and after school, with the perception that utility later in life will be maximized. It is perceived that there must be a “pay-off” in how children’s time is spent. Because play can be seen as frivolous, it is disregarded. Social media can be seen as a factor influencing societal pressures of achievement, combined with pressure from other parents.

Sectors who identified:
Municipalities
School Boards
Play advocates, workers, and researchers

B. Influences of traditional and social media

Traditional and social media outlets fuel parental perceptions. Media technology increasingly sends the general public information with the inability to decipher its credibility. Key informants listed both negative and positive influences media messaging has in regards to children's play:

Media influences and unbalanced messages around play

The negative influences of media are explained by *recency bias*, where widespread media coverage of the worst case scenarios that could happen influence the public to have a disproportionate assumption that a similar situation could happen to them. Repetitive news stories instill a perception that negative or dangerous occurrences are more common than they are in reality, and this increases parent and caregiver fear. The proportion of bad news around play is unbalanced compared to the coverage of the benefits of the positive experiences of play.

Positive media influences increasing attention to the importance of play

Media coverage has brought to light important factors limiting play experiences among children, such as *helicopter parenting* and *bubble wrapping* children. There is growing discussion on how children are playing and people are beginning to seek information. With media promotion, there has been an increase in production of books relating to nature play and unstructured play. The media has fostered a larger, national conversation around play, helping to improve organizational alignment. It has brought attention to the importance of and need for more unstructured child-led play.

Sectors who identified:
Municipalities
School Boards
Play space inspectors and architect designers
Play advocates, workers, and researchers

C. Parental peer pressure:

"Protective parenting leads to feelings of effective parenting"- Researcher

Parental peer pressure refers to the concern of being judged by other parents for allowing their child to engage in an activity. There is a perception that your child is a reflection of yourself, resulting in a desire for perfection. The concern of being judged by other parents has been reiterated in interviews with parents of school-aged children.⁵

Sectors who identified:
Municipalities
School Boards
Play advocates, workers, and researchers

D. Changing Family Structures:

"There is effort to spend more time with kids, but they are spending less time being kids"- Researcher

Family structures have changed. With dual household incomes, parents are having children later in life. Families are busier with less free time. There is less time being spent with children, and when they are, there is a tendency to engage in adult-centered activities (i.e. watching TV, going shopping). Key

informants suggested we are living in a **convenience culture** where parents do not have the time to watch children play. Thus, it is easier to put a child in front of a screen.

“It takes a village to raise a child” is no longer the case- we have lost this safety net.” - Researcher

Sectors who identified:
Municipalities
School Boards
Play advocates, workers, and researchers

E. Risk Averse Society: Cultural Cognition

“The perception is that ‘my child got hurt- there must be something wrong with the park’”- City Risk Management

Society’s concern about children’s exposure to danger is overly risk-conscious and takes the view that risks should be contained and injury prevented. An overly risk-conscious society combined with an increased fear of litigation has resulted in fear-based caregiving. When an injury occurs, there is a tendency to shift the blame to the property owner (i.e. school or municipality) and seek compensation by filing a claim or lawsuit. As a result, care-givers fear losing their jobs; parks are created with safety as a first priority; over-supervision (or helicopter-parenting) occurs and the phenomenon of ‘bubble-wrapping’ children results. Risk-aversion is perpetuated through **cultural cognition**, which is the tendency of people to fit their perceptions of risk and related facts to their group commitments.

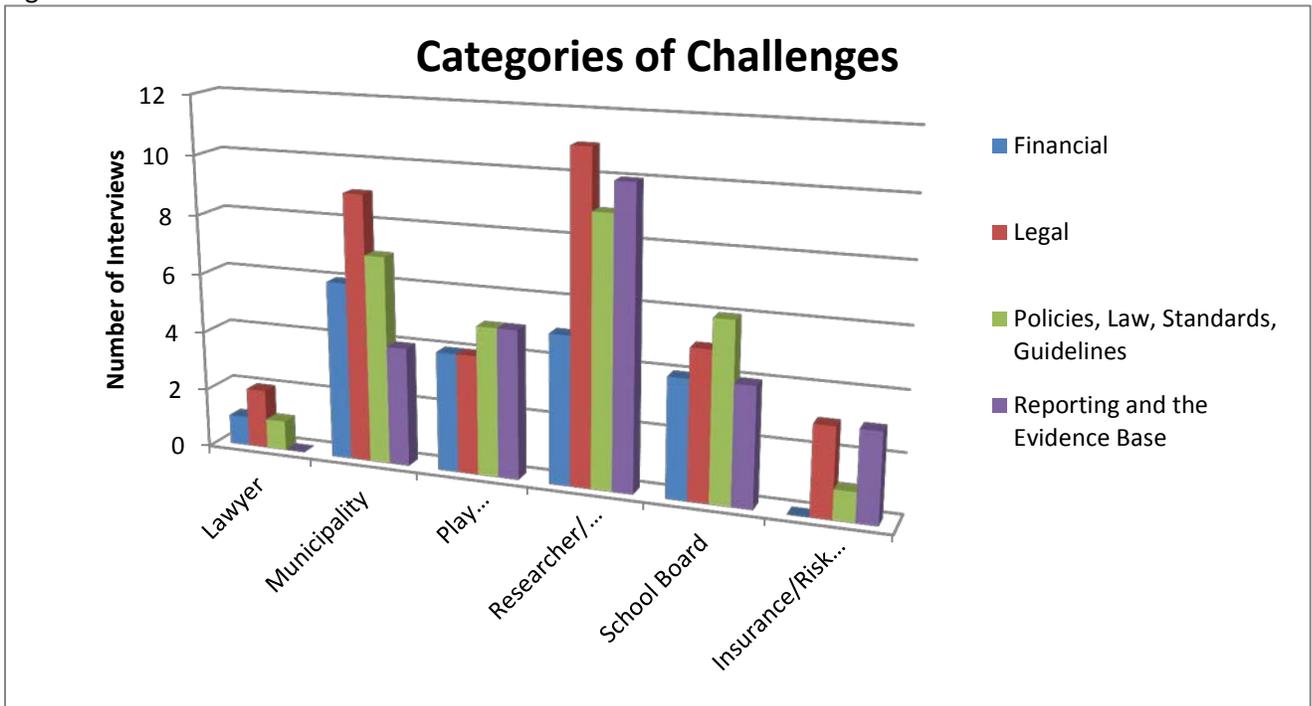
Sectors who identified:
Legal experts
Insurance experts and Risk Managers
Municipalities
School Boards
Play space inspectors and architect designers
Play advocates, workers, and researchers

CHAPTER 3. DECISION-MAKING CHALLENGES

Overview

Decision making challenges can be broken into four major categories. The most cited challenge was related to legal concerns; 87% (34/39) of key informants indicated this issue as a barrier to implementing unstructured play opportunities. Approximately three quarters (74%, 29/39) cited challenges arising from policies, laws, standards, or guidelines when making decisions; about two-thirds (67%, 26/39) cited challenges with utilizing the evidence base to make decisions; and half (51%, 20/39) cited decision making challenges related to financial concerns, such as the availability of funding. The following sections of this report explore subcategories of these decision making challenges. Figure 2 depicts the number of interviews that made reference to a category of challenge, per sector.

Figure 2.



See Appendix 1.c for raw count.

I. FINANCIAL CONSIDERATIONS

Creating, implementing, and maintaining play spaces can be financially challenging for schools and municipalities.

SCHOOL BOARDS

Sectors who identified:
School Boards
Play space inspectors and architect designers
Play advocates, workers, and researchers

(a) Access to Funding

Provinces hold the “purse strings” to schools and there is an identified lack of transparency on its allocation or spending. Aside from early childhood education, provincial funding focuses on indoor learning environments, not outdoor. The lack of funding available to create nature rich play spaces at schools is problematic. Generally, schools have to raise money to pay for the capital costs of these environments, and this creates an equity issue as fundraising may be easier for some schools than others depending on student demographics or location (large suburban schools compared to inner-city schools).

(b) Building, Program, and Maintenance Costs

Costs include: capital costs, program costs (training, management), maintenance costs, and manufacturing. Each cost is affected by tight budgets and lack of funding. As a result, facilities teams often prefer to install long lasting, durable materials with few moving parts. Thus, fixed plastic and steel apparatus is implemented rather than loose parts¹ or natural elements. Natural elements are viewed as problematic (i.e. wood) as there is considerable variation in lifespan and they may require greater maintenance and replacement. This increases the need for skill sets, operational budgets and training for facilities/maintenance teams to support and maintain natural playscapes. For example, consideration must be given to how long a material will last, which depends on the environment, species selected and dynamic load. Furthermore, the traditional “grounds keeping approach” is becoming less common to maintain school yards. Maintenance is now often contracted out to the lowest bidder which reduces a long-term sense of pride or ownership for the space.

¹ **Loose parts** are materials that can be moved, carried, combined, redesigned, lined up, and taken apart and put back together in multiple ways. They are materials with no specific set of directions that can be used alone or combined with other materials (Outdoor Play Working Group .(2017). Glossary of Terms)

MUNICIPALITIES

Sectors who identified :
Municipalities
Play space inspectors and architect designers
Play advocates, workers, and researchers

(a) Access to funding

Municipalities realize that healthy child development is a key determinant of health and is something in which to invest. However, there is a perception that engaging play environments are costly, and there is lack of provincial or federal support. Municipalities face challenges in gaining provincial buy-in to invest in play spaces. Smaller municipalities find it more difficult to get federal or provincial grants as they may lack the administrative support available for larger municipalities. Due to time and resource constraints under grant application deadlines, the ability to strategically move forward to engage in community consultations is hindered. As an alternative, some municipalities will fundraise to implement naturalized play spaces by combining public and private dollars.

(b) Maintenance costs

Municipalities must respond to fiscal pressures from developers, playground designers, and programmers, while balancing parental concerns. Often, parental concerns take priority due to the fear of litigation. As a result, the safer option is provided which are often “cookie-cutter” plastic and steel playgrounds, which are also favoured as maintenance costs are lower. Key informants indicated that adventure playgrounds² are less esthetically pleasing, require staff training and equipment, while increasing fears of litigation.

(c) Insurance costs

Insurance costs are a concern as a lawsuit could result in increased insurance premiums. Municipalities sometime use self-provided insurance as larger insurance company rates may be more costly.

II. LEGAL CONCERNS

Sectors who identified :
Researchers, play advocates, workers
Municipality
Inspectors and designers
Legal experts
School Board
Insurance and risk managers

A fear of litigation and liability resulting from an injury within an unstructured play environment was the most commonly mentioned and largest challenge indicated by all key informants. They stated that society has the psychology of entitlement, but does not always give consideration to the element of negligence that must have occurred in order to receive compensation for an injury. When the cost of an

ⁱⁱ **Adventure Playground** is a space that is dedicated solely to children’s play. It includes skilled play workers who facilitate the ownership, development and design of the space physically, socially and culturally by the children who are playing in that space. (Outdoor Play Working Group, 2017. Glossary of Terms)

injury is only partially covered from personal benefits (i.e. health and dental), parents/guardians will look to the school board or municipality, believing that they have “deep pockets” and a law suit results.

Perceptions of safety and liability drive decision-making. There is a large safety and prevention focus rather than creating play spaces for the importance of play value. There is a concern among municipalities and schools that everyone is going to sue. However, legal key informants revealed the reality that legitimate (as opposed to frivolous) play related child injury lawsuits are very rare. Parents are driving litigious concerns. They present as the largest barrier to implementing unstructured child-led play opportunities. Key informants stated that the fear of litigations leads to:

➤ *Fear-based decision-making*

Teachers and educators fear losing their job as a result of an injury lawsuit and will provide anxiety-based care giving which limits access to challenges during child-led play, regardless of pedagogical knowledge and importance for child development. Facilities, risk managers & inspectors err on the side of caution to avoid law suits. Insurance and risk managers make on-the-ground decisions to limit risks in play, without thinking of the developmental benefits.

➤ *A “chilling effect”*

The fear of litigation can mean fewer play spaces, and “low-challenge” play environments. Facilities, schools, and municipalities limit activities or opportunities for unstructured play in order to limit their liability.

➤ *Insurance companies increase safety requirements*

If an injury occurs in a neighbouring municipality, insurance companies will often increase safety requirements to remove or ban certain apparatus. Entities willingly comply out of fear of being unable to afford the potential financial repercussions. This further limits challenging play.

Changes in the Court

“We can’t rebuild a human, so we need to build better systems to protect them”- Legal expert

Key informants indicated that, anecdotally, there has not been an increase in the volume of child injury cases over the last ten years, but rather an increase in the cost per case or claim. Tort damage awards have gone up. This could be due to an increased willingness to provide compensation for future health care and caretaking costs. It can be argued that there has been a systemic change in a greater expectation being placed on the system (i.e. playground environment or recreation facilities) to prevent injuries. The courts have increased the reliance on the science of human behaviour, which influences how law suits are handled. Courts realize that people are accident prone and don’t always understand the risks to which they’re exposing themselves. Therefore, there is an expectation that safer systems should be built to prevent injury.

Sectors who identified :
Legal Experts
Insurance and Risk Managers

III. POLICIES, LAWS, GUIDELINES AND STANDARDS

SCHOOL BOARDS

Parent complaints and risk aversion

Schools reflect society and must continually respond to parents. With an increasingly risk adverse society, schools are removing risks or challenges in play. Often, a school board's reaction is to quiet parent complaints and reduce their personal concerns for litigation by enforcing restrictive rules and policies. Because play is a low priority in comparison to academics, the result is often activity bans (i.e. floor hockey), weather policies (i.e. no snowballs), and recess policies (i.e. no cartwheels) that limit play. It is not rare for a school to limit recess as a disciplinary action.

Sectors who identified :

Researchers, advocates, play workers

School boards

Lack of loose parts or nature play policy, regulation or guidelines

There is a lack of loose parts or nature play³ policies or guidelines; specifically those directed by Ministries of Education. As a result, there is uncertainty during the planning and implementation for these types of play, including the sourcing of materials, storing materials, safety requirements, and supervision ratios. Furthermore, the Canadian Standards Association (CSA) Playground Standard Z614 exempts natural elements or loose parts play, resulting in greater timidity around implementation. Without defined rules or guidance, these play elements are excluded from unstructured child-led play opportunities. In addition, there is a lack of existing early years acts and curriculum frameworks that value nature-based play or outdoor play. For example, the early years act in Ontario is written for an indoor environment (i.e. square footage requirements). The lack of legislation supporting outdoor early years learning is problematic.

Sectors who identified :

Insurance and risk managers

School boards

Researchers, advocates, play workers

Supervision policies and teacher collective agreements

In a school setting, the common view is to manage unstructured play by providing increased supervision. The numbers of supervisory minutes are locally determined by school boards through teacher negotiated collective agreements. This can become problematic when teachers contracts reduce supervision time, thereby reducing the tolerance for challenging play at recess.

Sectors who identified :

Researchers, advocates, play workers

School boards

ⁱⁱⁱ **Nature Play** is play that happens primarily outside in a natural environment and/or involves play with natural elements and features, such as water and mud, rocks, hills, forests, and natural loose parts, such as sticks, pine cones, leaves, grass etc. (Outdoor Play Working Group, 2017. Glossary of Terms)

Operational constraints under acts and regulations

Operational conflicts can occur when Child Care Act and Education Act regulations are governed within the same building with the same students. For example, when child care is offered within a school building, from 7am -9am it is under regulation of the Child Care Act. From 9:00am-3:30pm it is regulated under the Education Act, and then the Child Care Act from 3:30-6:00pm. Operational conflicts can result, for example, when staffing ratio requirements differ between acts. In Ontario, There has been a shift towards a more seamless transition between acts; the Ministry of Education (governing the Education Act) assumed responsibility for the Child Care Act (previously governed by the Ministry of Child and Youth Services).

Sectors who identified :
School boards
Risk managers and insurance

Curriculum Challenges

Key informants reported that children’s physical literacy⁴ has decreased as they are not provided the opportunity to apply or learn the skills for unstructured child-led play. A number of curriculum related challenges in post-secondary institutions, elementary and pre-school environments were identified by key informants that reduce the opportunity for unstructured play:

○ *University Educational Institutions*

In university, early childhood education programs generally do not identify unstructured play as a focal content area. Rather, it is taught that play is a continuum, and unstructured play is on that continuum. With a lack of professionals who promote play, student teachers entering school do not see themselves promoting play when they are planning for their profession.

○ *Outcome based learning: teaching to the test*

There is a focus on outcome-based learning, including being able to measure and test (i.e. standardized testing). However, there are developmental and behavioural outcomes that can be achieved through play, for example self-regulation, and emotional and social learning that are not easily quantified. This can be achieved by adapting the environment to encourage different outcomes. Key informants found it difficult to communicate the need for play, and embed play as an essential part in child development. A lack of play culture is a reflection.

○ *Narrow Focus on Gross-Motor Aspects of Play*

There is a tendency to focus on prescriptive gross motor play experiences (i.e. organized activity in gym class) which diverge from the importance of creating free time for children to engage in unstructured play. Similarly, public health efforts generally focus on play as physical activity to address childhood obesity. Children require all forms of play for healthy development. Challenges arise when recommendations begin to structure play with the goal of being more active, such as encouraging increased involvement in organized sport. Children play in different ways that is not always active, such

^{iv} **Physical literacy** can be defined as, “the motivation, confidence, physical competence, knowledge and understanding to value and take responsibility for engagement in physical activities.” (Whitehead, 2016)

as sitting on swings, reading, or drawing. Researchers indicated that this style is developmentally important and require as much attention as the physical activity aspects.

Sectors who identified :
Researchers, play advocates, workers
Municipality
School board

MUNICIPAL AND ORGANIZATIONAL LEVEL

Parent complaints and claims

Parent complaints and injury claims were identified as a challenge, as they may be costly, time consuming, and may result in removal or ban of activities/equipment. When an injury claim is filed there may be a perception that, “my child got hurt, there must be something wrong with the park”. The claims procedure can be expensive and time consuming taking up to five years to settle. As a result, time restrictions for park use and weather or seasonal polices that prohibit use during (for example) the winter season may be enforced. Removing certain apparatus or avoiding purchasing of more challenging play equipment could be avoided.

Sectors who identified :
Insurance and risk management
Municipality
Researchers, advocates, play workers
Inspectors and designers

By-laws and Zoning

By-laws that impede children’s abilities to play include, and are not limited to, fines for climbing trees, bans on street play or street hockey, requirements for permits for organizations to use a park, or shared land use policies. Furthermore, modern planning zones designate permitted land of an urban environment to maximize efficiency. These eliminate the left over “ambiguous” spaces (i.e. empty lots or fields) that could be used for children to congregate.

Sectors who identified :
Researchers, advocates, play workers
Inspectors and designers

Challenges from Insurance and Risk Management

Facilities and risk management departments can pose barriers to creating environments for unstructured child-led play. They prefer grounds that are easy to maintain and are compliant with relevant standards.

- *Risk managers and insurers make on-the-ground decisions*

“Municipalities are strongly controlled by insurance and risk mitigation; it is all about safety, numbers and statistics.” – Municipality

Most school boards have a risk management team and risk management decisions at school boards are made at a senior level by a small team, usually in collaboration with legal and insurance experts. This may be problematic as these teams are making on-the-ground decisions about play environments but

often do not have experience working within them. A conflict occurs as school legal teams often do not considering child development within their decision-making, and implement play options with the lower risk of injury. Pedagogical knowledge is left out of the discussion.

Municipalities are also strongly controlled by insurance requirements for risk mitigation. Responding to a risk-averse society and increased worries of litigation, insurance company’s safety requirements have increased within the last ten years. A recent example is the discouragement and ban of tobogganing hills in many municipalities as a result of an injury claim in Hamilton, Ontario. Insurance requirements are a barrier for municipalities in managing how to provide the benefits of child-led play to a community, while mitigating negative risks.

Key informants also noted that many municipality procurement policies do not encourage innovative design. Rather, structures are picked out of specific, pre-approved catalogs where apparatus is chosen based on injury and claim statistics. In some cases catalog approved apparatus will be disregarded if risk management teams view the equipment as being too challenging.

Sectors who identified :
Lawyers
Play space inspectors and architect designers
Municipalities
Researchers advocates workers

o *Designing play spaces*

A designer must comply with relevant regulatory requirements such as, Ministry standards for child care facilities, industry practices, building codes, policies of the owner/ client, the CSA Playground Standards Z614 (including CSA Z614 Annex H on Accessibility), and provincial accessibility acts where they exist (for example, Ontario Regulation 191 AODA). These dictations influence play space design.

In some instances, standards unrelated to play spaces are inappropriately applied to design. For example, city play space design may incorporate the Crime Prevention Through Environmental Design (CPTED) guidelines, which is intended for crime prevention. When these standards are applied to child play spaces, the result is that sight lines are revised to require visual access to all children’s eyes at all times. This encourages over-supervision and can minimise a child’s ability to direct their own play. In addition, developers have begun influencing park implementation to create curb appeal.

Sectors who identified :
Municipalities
Play space inspectors and architect designers

o *CSA Playground Standards Z614 as a guide to decision-making*

“It seems that we are more concerned with who to blame than how to make it better. The threat of litigation is something that overrides most decisions when evaluating playspaces to the CSA Standard.” -Play Space Inspector

Decision makers err on the side of risk reduction, and risk management departments address legal aspects and procedures to provide a safe environment. The Canadian Standards Associations (CSA) has established a

The Standard is voluntary, but has been made mandatory for daycare operators in Quebec and childcare licensure in Ontario.

standard for “Children’s Play Spaces and Equipment” (CAN/CSA-Z614). It provides recommendations on technical requirements and practices (i.e. materials, installation, strength of equipment), which contributes towards a foundation for playground safety. The Standard is intended to minimize the likelihood of serious and/or life-threatening injuries.⁶

The Standard is voluntary (not required by law) and its intended *use* is not specified. Therefore, its application is determined by the user. However, insurance and risk manager’s daily practices are strongly influenced by the Standard as they are applied as a “minimum safety requirement” or “safety guideline” by most (if not all) schools and municipalities. Often, the Standard is used to maintain a safe environment without considering the benefits of challenging play.

Play space designers and architects identify the Standard as a “best practice” when designing to avoid head entrapments, protrusions, and other hazards. They are also accepted as the “best practice” where compliance is used as the basis for safety inspections on playgrounds. Any newly renovated or built playground must comply with the most recent version of the Standard (currently, 2014). For insurance purposes, inspection records based on compliance to the Standard are used to determine if steps were taken to address safety through maintenance and repair of the equipment. To demonstrate that a risk-management approach was applied in a child injury law suit, the courts can consider the use of the Standard as part of a defense. However, the Courts may not choose to consider the Standard alone and may not base their ruling solely on compliance.

Additionally, elements that are not CSA compliant are difficult to interpret by play space inspectors. An inspector may go outside of their authority and advise on the removal of elements that are seen as too challenging in play. Driven by fear of litigation, municipalities rely on play areas that are CSA Standard compliant as a means of demonstrating diligence.

The Standard also influences risk management considerations on play equipment purchase decisions. Schools and municipalities will purchase apparatus from catalogues of CSA approved play equipment when determining acceptable apparatus. It may be advised against purchasing or implementing apparatus that are not Standard compliant or exempt. This practice excludes the implementation of natural elements and loose parts in play.

Overall, three major uses of the Standards were identified by key informants; for design, legal, and safety purposes. A summary is provided in Table 1 below.

Table 1. Three Major Uses of CAN/CSA Z614 Identified by Key Informants

Use	Sectors who identified
Design	Municipalities Play space inspectors and architect designers Insurance and Risk Managers Research and advocates and play workers
Legal	Legal experts Play space inspectors and architect designers Insurance and Risk Managers Research and advocates and play workers
Safety	Legal experts Play space inspectors and architect designers Insurance and Risk Managers Research and advocates and play workers School boards Municipalities

Benefits and Barriers of the CSA Standard Z614

Key informants indicated that the Standards had a number of benefits and barriers to making play-related decisions. See Appendix 2.a for a more detailed explanation.

Benefits:

- Support design
- Educational
- Safety
- Improve access to funding
- Demonstrate due diligence
- Provide quality assurance

Barriers:

- Can produce overly safe environments that limit play
- A workplace safety standard approach is being applied to a play space
- Dictated by Industry and financially driven
- Controlled by Risk Management and Insurance
- Annex H for accessibility focuses solely on mobility
- Limits access to funding for other types of play environments (i.e. loose parts/nature play/adventure playgrounds)

ACCESSIBILITY OF PLAYSPACES

In Canada, only three provinces have enacted comprehensive accessibility laws: Ontario (*Accessibility for Ontarians with Disabilities Act (AODA), 2005*); Manitoba (*Accessibility for Manitobans Act (AMA), 2013*); and Nova Scotia (*Accessibility Act, 2017*). In 2007, the Canadian Standard's Association's (CSA) released an updated version of the *Children's Playspaces and Equipment Standard (CAN/CSA-Z614)* which contains accessibility guidelines entitled, *Annex H: Children's playspaces and equipment that are accessible to persons with disabilities*. This annex establishes minimum accessibility guidelines for newly constructed and redeveloped playspaces. Its implementation is voluntary but if institutions commit themselves to establishing accessible play spaces, they often utilize the AODA and/or Annex H as an initial guide. Some key informants had criticisms concerning their application.

Implications of Canadian Accessibility Acts, Legislations and Standards on Playspaces

Sectors who identified :
Insurance and risk managers
Play space inspectors and architect designers
Municipalities
Researchers, advocates, play workers
School board

○ *Application*

The current versions of the AODA and Annex H encourage the construction/redevelopment of play spaces to meet minimum accessibility standards. Consequently, quality of play is often ignored, as designers and inspectors may primarily focus on technical elements (i.e. the contrast of colour, the degree of a slope, and the number of manipulated play components) to pass inspection. Although the intention is to foster inclusion, the emphasis on a minimum number of adapted elements highlights the functional limitations of individuals by implicitly designating specific areas for accessible play. This can perpetuate stigmatization of a disability, disregards the broad range of human abilities, and limits the number of diverse experiences that individuals can have.

Annex H gives highly specific numbers and dimensions that heavily center on wheelchair mobility. Consequently, design plans leave out the majority of challenging equipment/features, alongside sensory and tactile elements of play. This can result in the perception of boring playspaces by typically developing children and the exclusion of children with non-physical disabilities.

○ *Challenge and Safety*

Balancing the ease of access to equipment with challenging play experiences can be a challenge for playspace designers and risk managers. This is especially true when they have to consider the regulations of AODA and guidelines of Annex H. Current Annex H recommendations state that at least one of each 'type' of accessible play component must be located on an accessible route. The 'type' of play component is dictated by the 'general experience' the component provides (e.g. rocking, swinging, climbing, spinning, and sliding).⁷ This implies that the majority of play equipment and structures can be blocked by a physical barrier, so long as one component can be accessed and elicit the same general experiences of play. Consequently, children with disabilities may take fewer risks, since they lack the opportunity to gradually challenge themselves. Furthermore, designers may be compelled to install easier or softer routes to equipment and structures that offer little-to-no challenge. This can result in unintended easy-access for younger children who are not developmentally prepared to handle the physical demands of certain play elements, jeopardizing safety.

- *Limited Resources*

Provincial Ministries of Education often provide funding to increase accessibility of school buildings and facilities that is often specified for indoor learning environments. This leaves inadequate funds for schoolyards. Likewise, funding limits the construction/renovation of accessible playgrounds. In a municipal setting, it is commonplace for architects and designers to focus on landscape than the experience of play, which restricts the innovation for more inclusive design.

- *Lack of Guideline Knowledge and Compliance*

Key informants indicated that stakeholders are occasionally confused by the application of the AODA and Annex H standards. This may be a consequence of ill-defined terms in the current legislation. For instance, an existing playspace is obligated to follow AODA standards if substantial renovations are planned. However, there is no clear definition of ‘substantial renovations’—that is left to the judgement of developers. As a result, some re-designed playspaces may not be compliant with accessibility laws.

IV. ISSUES WITH THE EXISTING EVIDENCE BASE AND REPORTING

Key informants indicated that challenges exist with the inconsistent application of play terminology; injury data reporting and collection methods; existing research gaps and needs (table 5); and a lack of knowledge mobilization to provide evidence to decision-makers. Better data collection and reporting methods around play related injuries would help inform standards and policies and allow for improved monitoring of unstructured play-related injuries.

Definitions and terminology

Key informants highlighted the inconsistency in the literature around the definition of *play* and its derivatives, such as risky play, nature play, outdoor play, and unstructured play. There is a need to clearly define these terms. Concerns have also been raised in regards to the word *risk*. Key informants identified *risk* as a less tolerable word that carries a negative connotation, specifically within municipality and school board risk-management divisions. *Risky play* may then become a low priority.

Further concerns have been raised around emphasizing the potential for injury within *risky play*. Some key informants thought this emphasis may stall the movement to increase unstructured play opportunities. Positive consideration was given to the terminology *unstructured child-led play* or *challenging play*, removing the terminology *risk* and deflecting the focus from injury. Further, the lack of consistent terminology and definitions poses research difficulties regarding the ability to consistently measure effects and outcomes.

Injury reporting and collection methods

The numbers of child injuries are known within existing population level injury statistics; however there are many limitations, one of them is the denominator. As a result, it is difficult to compare the number of children using playgrounds compared to those enrolled in organized sport. Furthermore, demographic and exposure data (environmental factors or potential causes in relationship to the outcome (injury)) is unknown.

Injury Data Sources

The Canadian Hospitals Injury Reporting and Prevention Program (CHIRPP) is an emergency department-based surveillance system that collects injury and poisoning data from 11 pediatric and 6 general hospitals in Canada. CHIRPP collects child injury data that occurs at home, school, and municipal settings

combined. This database represents a major collection of injury data related to play spaces in Canada and informs product safety standards and legislation, as well as the CSA on the playground safety standard.

The most frequent place a child gets injured is not necessarily the most severe. The most severe, life debilitating injuries occur in backyard home play grounds⁸ while most outdoor play related injuries that happen at parks and schools are minor⁹. Insurance and risk management key informants indicated the most common injury on school grounds is a result of slips or falls by people visiting the school.

By using CHIRPP data as a foundation to inform and amend the CSA Playground Standard, the CSA rationale may be skewed as more serious injuries occur at home, while the CSA Playground Standard does not apply to home playgrounds.

Centralized database reporting for school injuries is inconsistent

The method of reporting for student injuries at school is inconsistent across Canada. Some provinces (Ontario, Nova Scotia and Manitoba) have a central reporting program where injury claims are gathered (i.e. Ontario School Board Insurance Exchange (OSBIE)), while Alberta and British Columbia use different insurance companies at each school board and lack centralized recording of injuries.

Key informants indicated that there are existing issues with current centralized reporting. For example, in Ontario it is difficult to differentiate injury rates specific to unstructured play from structured play, and the reason for the incidence is coded as either a recess and playground or school yard injury. As such, it is difficult to identify the type and severity of the injury. There is also limited information on the specific exposure or potential cause of the injury; what apparatus/equipment was involved; and the category (i.e. fall) of injury.

Research Needs and Knowledge Mobilization

“The decisions we make are on evidence-based research, and there hasn’t been research coordinated with guidelines at the Ministry to implement at board level.” - School Board Official

There is a lack of awareness of the evidence that validates the connection of unstructured play to child development, and how this play is necessary for children to reach their potential. Key informants indicated that this research is not readily available to decision-makers and there is limited knowledge of the benefits of a challenging playspace. Knowledge translation and mobilisation materials are needed to strengthen the use of evidence in decision-making around best practice and policies. Table 3 in Chapter 5 provides a complete list of evidence-based materials and research needs identified by key informants. Furthermore, key informants highlighted the need to have play research conducted in conjunction with risk-managers (and insurance) to explore types of unstructured play and injury rates.

Sectors who identified :
Inspectors and designers
Municipality
School boards
Insurance and risk managers
Researchers, workers, advocates

CHAPTER 4. MANAGING RISKS IN PLAY: CURRENTLY

“It’s not about risk elimination, but rather the management or reduction [of risk] to an acceptable limit”

–Designer

Schools and municipalities may consult literature, relevant legislation, neighbouring policies, and information from credible experts, such as legal and insurance communities, as a means to manage risk. The benefits of play, environmental factors, the perceived risk of injury, and individual factors such as the physical literacy of children and their social connectedness may also be considered. Some key informants manage risk by collaborating with legal departments, risk management teams, building facilities managers, education consultant teams, teachers, principals, educators and health and safety officers. Key informants highlighted the importance of involving the community when developing play space policies. For example, local Parks Council members co-created policies for a skateboard park with the local Skateboarding Association.

Consult Standards and Policies with Documented Processes

Monthly inspection and compliance reporting is useful to demonstrate that a risk-management approach was applied to a play space and is the ‘gold standard’ specified in most governing safety standards. Legal experts identified that it would be reasonable to substitute the CSA Playground Standard Z614 with other evidence-based standards/policies and/or use expert judgement. For example, an owner/occupier could hire an expert in child development to assist in the design of the play space so that it is child-developmentally friendly and provides opportunities for age-appropriate graduated challenges. It is crucial to provide a “common sense approach”, that is a space should be developed by including considerations of hazards and safety, and that risks are managed to an *acceptable* limit. In litigation instances, it is important that all policies and standards are implemented and adhered to, for example supervision ratios, seasonal considerations, equipment purposes and usage, and signage.

Sectors who identified :
Inspectors and designers
Municipality
School boards
Insurance and risk managers
Legal experts

Adequate Signage

Adequate signage is used to inform users of the inherent risks of an activity and encourages use at the individuals risk, while providing safety recommendations and identifying precautions. Adequate signage may include the following:

- Clear risk communication messaging and to use at the users own risk (simple and relevant language, multiple languages, and images)
- Placement of signage is visible, large and at the entrance to the space
- Outlines relevant safety guidelines (i.e. at a skate park, recommend wearing a helmet and pads)
- Opening and closing hours
- Action to take in the case of injury
- How to report hazards or damage (number to call)
- Age recommendations/limitations

Sectors who identified :
Insurance and Risk management
Legal

Parent/Guardian Education

It is important to inform adults of the risks their children may be exposed to during an activity. Transparency of rules and regulations combined with public education on risks and benefits of an activity may be used. Some municipalities educate the public on why a certain activity is not allowed, and provide alternatives.

Researchers and play advocates suggest that educating parents on the importance of children exploring challenges in play is the best way to manage risk. That is, allowing the child to be their own barometer for risk. They then become good decision-makers and understand that there are risks involved in the decisions they make. Researchers also indicated that children need time alone to explore and learn their body's limitations. If children are restricted in taking challenges and exploring risks, they lack physical literacy and coordination which may increase potential for a serious injury.

Sectors who identified :
Municipality
Researchers and advocates

Environmental Factors

“Risk benefit assessment framework Involves 6 different risk assessment forms that range from daily risk assessment to what educators do when they arrive on site in the morning, to an experienced risk benefit activity, seasonal risk benefit activity (done every season), and training staff to do a dynamic risk assessment with the children (teaching kids how to stay safe within their play). These go a long way to demonstrate our responsibilities. There is a manager to ensure that documents are completed, reviewed and stored.” –Play worker

Managing risk includes an environmental site assessment of the physical play space. **Hazards**, such as broken elements, glass, drug paraphilia or sharp objects should be identified and removed. All steps taken to reduce hazards must be documented. In addition, the location of a play space should be considered: whether it is placed close to a roadway or business, or in an open or treed space.

Risk management of a play space can include a **risk-benefit assessment** which assesses the area for play opportunities that have inherent risk but also considers the benefits of the activity. This type of framework identifies the processes of thinking and learning about the challenges of play with a view to reframe attitudes towards risk and shape opportunities for play. It may include identifying:

- Developmental benefits of an activity;
- Environmental dangers (i.e. a source causing slips, trips, cuts, falls);
- Cautionary measures to be implemented to reduce the risk of injury (i.e. reviewing the rules before play as a group); and
- An overall risk rating of an activity: high, medium, or low.

Challenges in play should also be considered from the child's perspective. This could be accomplished by asking children their view on a play opportunity as a means of giving the children a voice in the risk-

management process. An example of this approach would be documenting how students are taught to safely carry loose parts, or discussions concerning their “safety bubble” when playing with sticks.

Sectors who identified :
Municipality
Researchers and advocates
School board

Informed Consent Forms vs. Waivers

Some schools have begun using informed consent forms to encourage knowledge sharing around the benefits and risks of an activity or play environment. It also shares responsibility between the school and the parent/guardian. Instead of waiving the child’s right to safety, informed consent educates the parent/guardian to what their child might be engaged in or exposed to. Such forms may be beneficial in a legal defense. It demonstrates that the plaintiff had considered possible risks of an activity and there was an exchange of knowledge of the risks between parties, and could deter parents from commencing legal action if there was an injury. The informed consent approach establishes a moral basis and agreement which better manages risks and balances responsibility.

The use of a waiver form was proposed as a means of reducing the likelihood of a law suit. Signing a waiver limits an individual’s right to sue an organization regardless of injury. However, waivers do not hold up in court for child play cases; legally, a parent/guardian cannot sign away the rights of a child. An adult can legally waive their own rights, but cannot waive a minor’s right to safety. This raises ethical and legal concerns and is often used as a scare tactic from an organizational perspective to avoid an injury lawsuit.

Sectors who identified :
Legal experts
Researchers and advocates

Tools Currently Used:

Key informants were asked what existing tools they currently use, or could use, to make play-related decisions. Table 2 provides a summary.

Table 2. Summary of existing tools identified by key informants used to make play-related decisions.

Tool	Purpose	Sector	Access to Resource
International			
UK Playwork principles	Provide an ethical and professional framework for play workers to foster unstructured play.	Researchers, advocates and play workers	Playwork Principles Scrutiny Group, Cardiff. (2005). The Playwork Principles. Available at: http://www.playwales.org.uk/eng/playworkprinciples
International Playground Standards (Australian, American, European)	Evidence-based safety guidelines.	Inspectors and designers	
Risk Benefit Assessment (UK)	Considers developmental benefits of a child taking risks in play. Values risk in play and provide a counterpoint to identified risks that need to be mitigated. Useful to area operators when a new program is being considered, or a landscape is being altered to incorporate more challenging play.	Researchers, advocates and play workers	Play Safety Forum, David Ball, Tim Gill and Bernard Spiegel. (2015). Risk-Benefit Assessment Form. Available at: http://www.playengland.org.uk/wp-content/uploads/2015/10/psf-risk-benefit-assessment-form-worked-example.pdf
The Sydney Playground Project (Manual)	This manual offers strategies for introducing and promoting school-based opportunities for unstructured play at school.	Researchers, advocates and play workers	Ragen, J., Bundy, A., et al. (2015). An innovative program for promoting active, creative and social play at school: The Sydney Playground Project. Available at: http://hdl.handle.net/2123/13127

<p>Risk Reframing</p>	<p>Risk reframing tool for parents, identifying where they are on continuum of risk tolerance and strategies to promote children’s well-being.</p>	<p>Researchers, advocates and play workers</p>	<p>www.outsideplay.ca</p> <p>Tolerance of Risk in Play Scale (TRiPS)</p> <p>Nelson Niehues, A., Bundy, A., Broom, A., & Tranter, P. (2016). Reframing healthy risk taking: Parents’ dilemmas and strategies to promote children’s wellbeing. <i>Journal of Occupational Science</i>. Available at: http://dx.doi.org/10.1080/14427591.2016.1209424</p>
<p>Loose Parts Play Toolkit, Scotland</p>	<p>An evidence based example that outlines the benefits of loose parts, behaviorally and developmentally. Can be used as a model to adapt to a school considering students’ needs.</p>	<p>School board</p>	<p>Loose Parts Toolkit. Casey, T., & Robertson, J. (2016). <i>Inspiring Scotland</i>. Available at: file:///C:/Users/cpentland/Downloads/loose-parts-play-toolkit.pdf</p>
<p>Play for All Guidelines: Planning, Designing and Management of Outdoor Play Settings for All Children</p>	<p>A resource for creating outdoor play settings.</p>	<p>Play space inspectors and designers</p>	<p>Play for All Guidelines: Planning, Designing and Management of Outdoor Play Settings for All Children. (1992).</p>
<p>Canadian</p>			
<p>CSA Playground Standard Z614 with CSA Inspection Toolkit</p>	<p>Educational and used as the basis of playground inspection. Provides a large quantity of probes to help determine areas of non-compliance</p>	<p>Inspectors and designers Insurance and risk managers Municipality</p>	<p>CSA Playground Standard Z614, available for purchase at: https://www.ccohs.ca/products/csa/27019532014/</p>

Government of Canada, Poisonous Plants Information System	Screening for poisonous plants.	Inspectors and designers	Available at: http://www.cbif.gc.ca/eng/species-bank/canadian-poisonous-plants-information-system/?id=1370403265036
Surface Impact Attenuation test device	A hemispherical shaped device that measures G-mac (gravity force) and HIC (Head impact criteria).	Inspectors and designers	
Case studies and evidence-based resources	Examples of best practices, policies, and specifications.	Insurance and Risk Managers Lawyers Municipality	www.outdoorplay.ca
Case law	Past court cases and their determination. Examine the risks (i.e. injury risks) and the benefits (i.e. improve motor skills) of activities.	Insurance and Risk Managers Lawyers	
Ontario Physical Health Education Safety Guidelines (OPHEA)	Research based guidelines that are comprehensive and regularly updated; can assist in decision-making around play although they are sport equipment oriented.	School board Municipality	Guidelines available at: http://safety.ophea.net/
Ontario Recreation Facilities Association Guidelines*	Suggested best practices and guidelines for recreation facilities professionals	Municipality	*Membership required to access
Specific staff training from content experts	Work with different organizations that can provide staff training in content areas that are lacking.	Municipality	For example, professional educator training provided by Child and Nature Alliance Canada: http://childnature.ca/forest-school-canada/
Playability Toolkit	A guide to making play spaces accessible for municipalities, day cares, camps, or schools when developing a play space.	Municipality	Playability Tool Kit: Building Accessible Playspaces. (2001). Ontario Parks Association

	Includes an instructional checklist and video.		
The Position Statement on Active Outdoor Play	An evidence-informed document that encourages balanced decision-making around play, considering risk-benefits. Successfully used in a court case in BC.	Researchers, advocates and play workers	Position Statement on Active Outdoor Play. (2015). Available at: https://www.participaction.com/sites/default/files/downloads/Participation-PositionStatement-ActiveOutdoorPlay_0.pdf
Outdoor Play's Glossary of Terms	Play related definitions and terminology to promote common language.	Researchers, advocates and play workers	Outdoor Play Working Group. (2017). Glossary of Terms
Informed Consent forms	Encourages knowledge sharing around the benefits and risks of an activity or play environment and shares responsibility between the organization and the parent/guardian.	Researchers, advocates and play workers	

CHAPTER 5. SOLUTIONS

Moving Forward

Key informants were asked to identify approaches to mitigating the concerns of organizations, municipalities and school boards, and to improve access to unstructured child-led play. The following chapter explores six core areas that are in need of solutions (figure 3). The greatest concern was revisions/amendments of policies, laws, standards or guidelines. It should be noted that this discussion does not include development of a loose parts policy. This policy/guideline was a specific question asked to key informants and is explored in greater detail separately. Professional training and development was the next most identified category, followed by a call for leadership and the need to change societal perceptions. One quarter of interviews identified a need for collaborative decision-making, and 21% identified the need to greater utilize the evidence-base. This is followed by a list (table 3) of evidence-based tools that are needed. Figure 4 displays a breakdown of the six categories of solutions by the number of interviews that referenced each category per sector.

Figure 3.

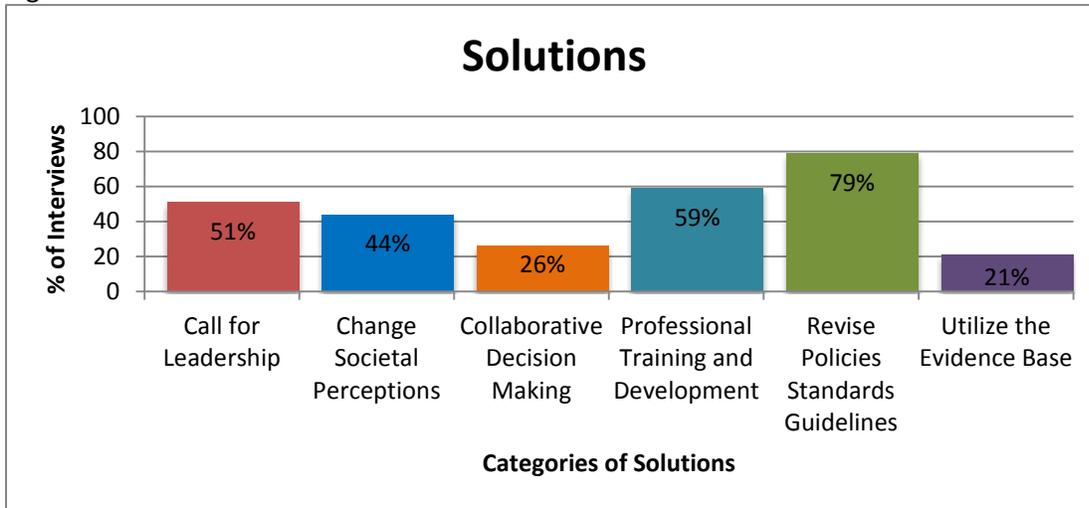
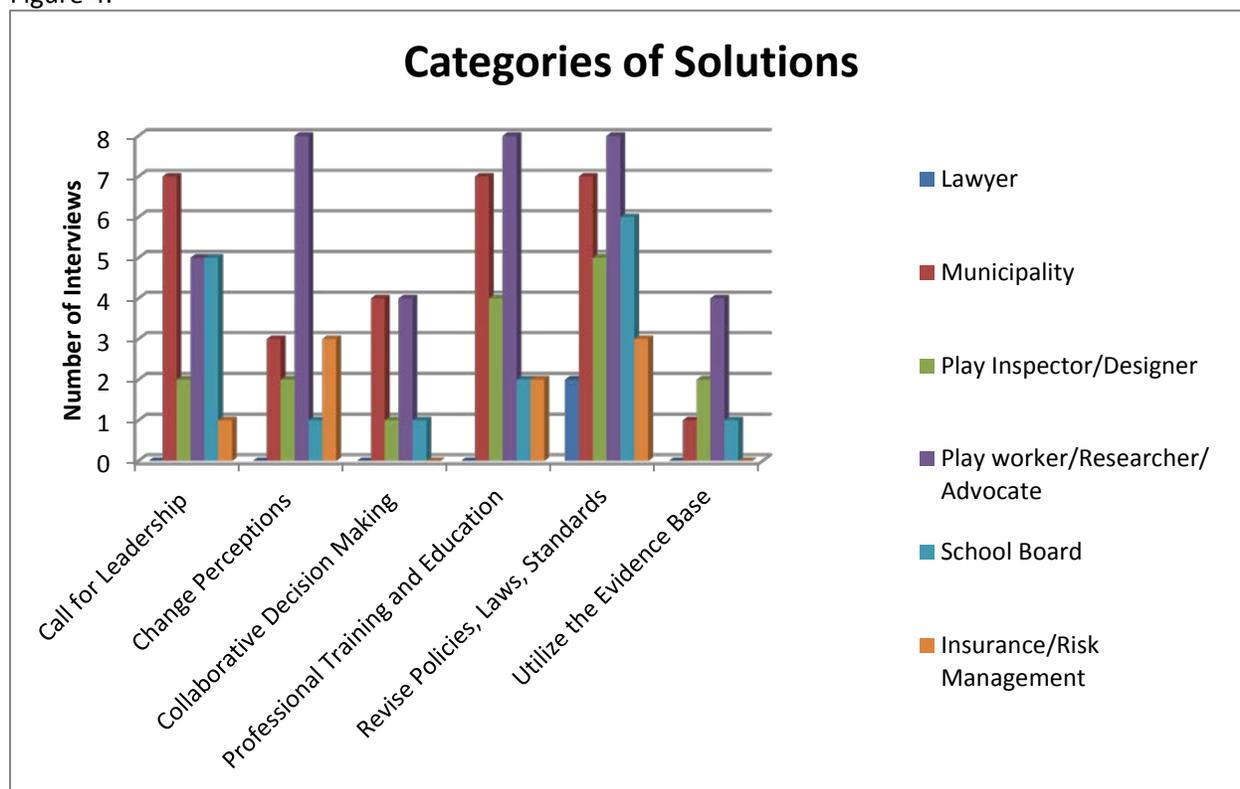


Figure 4.



1. Call for Leadership

Sectors who identified:
Insurance experts and risk managers
Municipalities
School boards
Play space inspectors and architect designers
Play advocates, workers, and researchers

The need for both top down and bottom up buy-in was voiced by key informants as necessary support for successful implementation and management of unstructured play spaces. This includes increased leadership from national, provincial (including Ministries of Education), and municipal levels, as well as greater financial investment in capital and operating budgets for school outdoor play environments.

○ Federal and Provincial/Territorial Governments

“A long-term view must be adopted by creating health, mental health, and healthy environments so that as children grow and mature, they will be contributing positively into our municipalities.”

–Municipal official

Key informants stated that the government has a responsibility to invest in children’s wellbeing and play environments, and that national and provincial/territorial wide leadership is needed. For example, the Welsh Government aims to, “create a play friendly Wales and to provide excellent opportunities for our

children to play”.¹⁰ Political leadership should mandate the institutions which they influence to support policies or guidelines and opportunities around unstructured play. Politicians must be educated on the evidence of the benefits of play for healthy development to encourage policy development. Federal, provincial or territorial government directed priority setting around this point has not been done in Canada. Such as stance could strongly influence the movement forward to increase opportunities for unstructured play.

“One of the Ministry’s key priorities is wellbeing. The importance of play and being active aligns well with this, cognitively, emotionally and spiritually.”-School Board

Ministries of Education lack loose parts play, nature play, and outdoor play mandates or policies as a means of supporting this type of play. As a result, such activities are limited. Some key informants indicated that direction from the Ministry of Education would encourage school boards to adopt these types of play locally and help to mitigate litigation concerns. Ministry support, buy-in, and a mandate promoting the benefits of unstructured play in child development are needed. Play needs to be built into policy and/or curriculum that are recognised by Ministries of Education.

○ Municipal

Municipal councils should advocate for investment in children and provide opportunities for unstructured play. Physicians and public health professionals have a role in promoting the importance of unstructured play for healthy child development. Physicians can begin to prescribe play while public health officials can develop campaigns to spread awareness and increase conversations around play.

○ School Board

Boards need to be encouraged to adopt unstructured play within mandates or policies. Teachers and principals also require empowerment and training to provide developmentally beneficial play experiences to children.

○ Institutions

Organizations and institutions where unstructured play is promoted have a responsibility to increase awareness and provide education concerning the importance of its benefits. Capacity building around unstructured play needs to attract a wide range of influencers. Various parties and stakeholders should be included from the start while encouraging wide-spread engagement and awareness. This can be nurtured by evidence-based communication tools.

2. Change societal perceptions

“Mitigation relies on education”- Researcher

Sectors who identified:
Insurance experts and Risk Managers
Municipalities
School Boards
Play space inspectors and architect designers
Play advocates, workers, and researchers

Societal perceptions require change to stop the movement away from play. Measures could include addressing public stakeholder readiness, and alignment with larger priorities.

○ Public Stakeholder Readiness

“We need to be training the caregivers, schools and education systems to start opening the minds of these children to explore and understand that scrapes or falls is a part of the learning process.” – Researcher

Public stakeholder readiness is needed to support increasing opportunities for unstructured child-led play. Knowledge sharing and education with parents, teachers, principals, politicians, and municipal councillors is required to reduce anxiety and demystify fears. Stakeholders should recognise that their biases and perceptions may result from cognitive shortcuts. Addressing these shortcuts could improve balanced decision-making and help to mitigate decisions that limit play. Knowledge translation experts and researchers should educate the media to provide balanced coverage of fear provoking stories of play, including litigation from injury cases. Educational campaigns on the importance of child exploration in play are crucial.

○ Alignment with larger priorities

“A big part of the problem is that we have been trying to get people to meet us where we are, and that doesn’t convince people to change. We have to meet them where they are. We cannot change the views of others on this topic by convincing them on what we believe ourselves- we need to convince them based on what matters to them.”- Designer

The importance of unstructured play has to be framed such those receiving the message care. For example:

- Finance: how can an unstructured play environment mitigate existing financial issues?
- Health: what are the health benefits of play?
- Education: what educational or behavioural outcomes can be accomplished through play or play-based learning?

3. Collaboration in Decision-Making

Sectors who identified:
Municipalities
School Boards
Play space inspectors and architect designers
Play advocates, workers, and researchers

Collaborative decision-making involves encouraging all parties who influence unstructured play opportunities to participate in the decision-making process from the start. It should include a clear discussion of roles and responsibilities of those involved, identifying what is to be achieved. Working collectively also addresses gaps in training or expertise. In a school environment, collaborative decision-making could include law, risk management, legal experts, child development experts, teachers, principals and parents. In a municipal setting, the groups should include the public health unit, community consultations with parents and involvement of local groups. It was specifically noted that risk management and insurance sectors should be involved from the start as a means of developing risk assessments, processes and procedures to mitigate unwanted risks while supporting beneficial challenges.

There is a need to bring together multiple sectors to address the fear associated with unstructured child-led play. This approach can help mitigate biases and encourage education and knowledge sharing and allows multiple views of play to be considered, including: potential risks and their mitigation; what cautionary or educational material is required (signage, consent forms, etc.); larger community stakeholders to establish a common vision that dispels undesirable outcomes; and builds the profile of the neighbourhood or school. One key informant had used this approach and reported it helped to reduce vandalism within their community.

4. Professional Training and Development

Sectors who identified:
Insurance experts and Risk Managers
Municipalities
School Boards
Play space inspectors and designers
Play advocates, workers, and researchers

The need for ongoing professional development concerning unstructured play was identified in a variety of domains. Table 2 outlines the domains that key informants identified as needing further education or professional training and the sector who should receive it.

Table 2. Training and education needs

Sector Requiring	Training/ Education Domain
Teachers/ Early Childhood Educators/ Play workers	Unstructured play facilitator training (verses supervisor role) Play-based curriculum Nature-based learning Environmental scans & risk-benefit assessments (including maintaining the environment for unstructured play; documentation and log books)
Children/Students	Training on environmental awareness and hazards (plant, rock, tree identification, eyes, touch, smell, feel)
Ministry of Education	Incorporating child development and play into the fire, health and safety guidelines for school settings Certification for delivering loose parts play, identifying risks and hazards and mitigation strategies
Risk Managers and Insurers Playground Inspectors	Training around the importance of allowing risks/challenges in play to support healthy child development
Park planners and design architects	Designing for developmental risks and creating graduated challenges within a play space
Post-Secondary Educational Institutions	Greater emphasis within curriculum on unstructured play and child development
Teachers & School Boards Municipal Leaders, Politicians, Bureaucrats Parents	The need for unstructured play as an element to healthy child development, and the cost of decisions to limit challenging play
Teachers & School Boards Municipal Leaders, Politicians, Bureaucrats	How play-based learning can aid schools in outcome-based learning (i.e. self-regulating behaviours) and how the child can be their own barometer of risk at different life stages

Parents	
Teachers & School Boards Municipal Leaders, Politicians, Bureaucrats	The litigation process, liability and due diligence in a play environment

5. Revisions to Policies, Laws, Standards, or Guidelines

Sectors who identified:
Legal experts
Insurance experts and Risk Managers
Municipalities
School Boards
Play space inspectors and designers
Play advocates, workers, and researchers

Greater Flexibility in the Application of the CSA Playground Standard

Some key informants felt there needed to be **greater flexibility in the application of the Standard so that users are more considerate of child development needs.**⁵ Some felt that the CSA Standard should be revised to better reflect the benefits of diverse play, and identify how to develop spaces that are safe while providing developmentally beneficial opportunities. The European Standard has been identified as an example to emulate. Further, natural play elements, water play and loose parts play are exempt from the CSA Standard, and as a result are often viewed as an inherent risk for owners and architects who engage in the design of play environments. Key informants indicated that if the Standard changes, risk managers and inspectors will follow.

However, some key informants felt that there was flexibility to provide for challenging play within the existing scope of the Standard. Although natural elements are exempt, aspects of the Standard could still be applied to natural spaces. For example, if a boulder is inserted into a play space, safe surfacing (indicated by the Standard) could be applied around it to account for hazards. **Allowance of alternate standards or approaches** was also identified as an option; for example, to borrow standards from other countries or relevant fields, when applicable, as long as a rational risk management approach is applied.

Modelling the European Standards

“In Europe, the only way to get to the top of a challenging slide is to climb up the slide itself—there are no stairs or easy routes. The idea is that someone under the age of three cannot climb up the slide to go down the slide. This would not pass Standards here.” - Play Space Inspector

An alternative to the CSA Standard was identified; the European Playground Standard, which have received positive attention internationally. Playground design by this Standard is grounded in the concept of graduated challenge; all equipment is designed to be accessed by a three-year-old and older.

In Europe, play space inspectors can override the European Standard during an inspection if there is a play element that does not meet a technical requirement but it can be introduced if it is intrinsic to the design, and meets the need for child development, while addressing hazard reduction and safety.

Countries, such as the United States and Australia, have begun to revise their own playground standard by modeling Europe’s. The goal is to encourage more challenge with fewer restrictions. This approach could entice more creative designs and promote collaboration between inspectors, designers, and manufactures.

⁵ The Canadian Standards Associations (CSA) has established a standard for “Children’s Play Spaces and Equipment” (CAN/CSA-Z614). It provides recommendations on technical requirements and practices (i.e. materials, installation, strength of equipment), which contribute towards a foundation for playground safety. The Standard is intended to minimize the likelihood of serious and/or life-threatening injuries. It is voluntary (not required by law) and its intended use is not specified. Therefore, its application is up to the user to determine.

Further, a need was identified for a **more representative and balanced approach to the CSA advisory committee**. The Standards are a consensus standard; the committee that develops the Standard is composed of a variety of experts: consumer groups, regulatory groups (Health Canada), and those with general interests such as content experts (including child development researchers). The aim of the consensus group is to have balanced representation. However, key informants indicated that the committee is heavily focused on technical aspects of the equipment and their interests were overshadowed in discussions. Key informants highlighted the need to better balance CSA committee meetings so that risks and benefits are addressed, graduated challenge is considered and play value is discussed.

Options to reduce litigation

Key informants identified the New Zealand (NZ) no-fault litigation context as beneficial to supporting unstructured and challenging play environments. Many also identified the concept of a ‘No Rules School’ as implemented in NZ. The current litigation context and tort law in Canada makes the ‘No Rules School’ concept unrealistic. Key informants indicated the need to reduce law suits and the desire to seek compensation for injuries. Identified solutions for this include the development of additional avenues for compensation and tort law reform, such as:

- A national insurance plan for child injuries.
- Utilizing school board Student Accident Insurance to reduce the percentage of claims on school boards.
- Designated provincial funds to be used in the case of a serious injury.
- Joint and several liability⁶ reform to require municipalities to only pay the percentage of damages for which they are found liable.

Options to improve play in a community

Key informants indicated the need to improve play opportunities in the community by:

- **Implementing measures to improve neighbourhood safety.**
 - Enforce reduced speeds in residential areas to address traffic concerns.
 - Encourage active transportation to reduce travel by vehicle.
 - Remove by-laws that limit street play. There are spaces in the UK called ‘home zones’ that are designated closed off streets or areas from traffic to encourage play.
- **Removing restrictive measures at school to increase availability and access to free play.**
 - Remove school policies that permit the use of recess restrictions as student discipline.
 - Remove activity bans.
- **Encouraging community design policies to include shaded nature spaces and parks for free play.**
- **Encouraging play policies to include diverse elements that allow for children to slide, climb, balance, swing, and use loose parts including sand and water.**
 - Implement adventure playgrounds.

⁶ “Joint and Several Liability is a legal principle that permits the injured party in a tort action to recover the entire amount of compensation due for injuries from any tortfeasor who is able to pay, regardless of the degree of that party’s negligence. Entities that are often viewed as those with the greatest amount of liability insurance are seeking reform to this principle so that the amount they pay towards an injured party directly correlates with the degree to which they were negligent.” *Outdoor Play Position Statement*

Options to improve Accessibility

While the AODA and Annex H are regarded as critical steps towards an accessible Canada, key informants indicated areas for improvement, including a focus on *Universal Design Principles*¹¹ (Appendix 2.b). This could reduce the focus on achieving minimum accessibility standards, and ensure that a variety of play elements are available to individuals of all abilities. Other challenges could be overcome by:

- Creative design and the inclusion of loose parts;
- Inclusive design by consulting with, for example, councillors, play workers, early childhood educators, teachers, researchers, occupational and physiotherapists, and children with disabilities and their families;
- Provide information that clarifies application of current accessibility laws; and
- Provide simple guidelines on how to achieve inclusive playspaces while meeting accessibility laws.

Developing a loose parts play policy or guideline

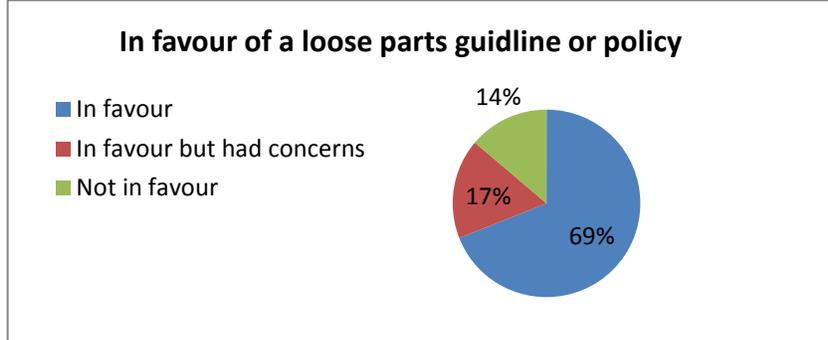
There is no existing provincial/territorial Ministry of Education policy or guideline on loose parts play. A loose parts play policy or guideline could identify measures to remove hazards and balance safety with developmentally appropriate play materials. The goal of the policy or guideline would be to provide a risk management approach, by managing risks to an acceptable or reasonable limit. Appendix 3 outlines possible requirements for a loose parts play policy/guideline identified by key informants.

A policy or guideline would be beneficial to schools that wish to implement loose parts play. It should be evidence-based and balance challenging play and safety, without removing opportunities to explore limits. They should be open and constantly evolving, with testing and evaluation by users to allow for adjustments concerning materials and their uses. A guideline should include a list of materials and examples of approved activities.

From an insurance and risk management perspective, this type of policy or guideline could streamline processes and be used as a basis to require safe materials and compliance with safe practice. It could be useful in a legal defense as it could demonstrate that a reasonable approach has been applied to mitigate dangers by the owner/occupier. School boards and schools believed they would feel more comfortable implementing loose parts play board-wide with direction from the Ministry.

Currently, loose part guidelines are being pilot tested in various schools before board-wide implementation. Key informants indicated that top-down and bottom-up buy-in is important to ensure commitment to implementation, and for maintaining, renewing, and repairing the inventory. Figure 5 displays these results of key informants who were in favour of a loose parts policy.

Figure 5. Percentage of key informants who favoured the development of a loose parts guideline or policy.



Concerns implementing loose parts guideline or policy

“Setting standards around something [unstructured play] that is meant to be chaotic is difficult.”
- Researcher

Sectors who identified :
Inspectors and designers
School board
Play advocates, workers, and researchers

Concerns were also raised. Guidelines may be a barrier if they are too comprehensive, thereby resulting in over-structured play. A policy that is too narrow or prescriptive results in a play space that is too strict and provides boring play alternatives. Concerns were raised regarding the potential cost of loose parts play if there was a prescribed list of components.

Leadership, education and training were mentioned as integral components to a loose parts play policy/guideline. Implementation should include facilitator training, risk-benefit analysis, and site assessment training for principals, educators and teachers as a means of reducing risk-averse perspectives. Collaborating with insurance and risk management professionals at the onset is important to determine appropriate site-based procedures.

Supervision (or facilitator) ratios were also raised as a concern. Schools often manage more challenging play by increasing the amount of supervision. Loose parts play with its potential to provide more challenging opportunities may result in the need for more staff on site. This can be problematic depending on the staff resources available and teacher-negotiated supervision agreements.

6. Using the Evidence Base

Sectors who identified:
Municipalities
School Boards
Play space inspectors and architect designers
Play advocates, workers, and researchers

The existing evidence base should support decision-making. Schools and municipalities are encouraged to use the evidence base to demonstrate play value and reasonableness in play-related decision-making. This includes looking at what has been implemented elsewhere and the benefits it has produced.

Successfully Using Evidence to Support Decision-Making:
 The Outdoor Play Position Statement was successfully used during a defense in a child play related injury court case in British Columbia’s Superior Court.

Tools Needed: Research Needs and Evidence-Based Materials

Key informants called for the development of more evidence-based materials that are endorsed by multi-sector groups. These should be simple, plain language materials that decision-makers can use to confidently build rationale for a decision. Table 3 provides a summary of these tools.

Table 3. List of needed research and evidence based materials.

Application	
Pathways of Decision Making	There is a need for simple tools for decision-makers to help balance the debate.
Site based resources	Templates for proper signage (i.e. language to use), parent education hand-outs, informed consent forms
National resources about play worker training	Training resources for unstructured play, for example, a guide about how to set up a space with loose parts to encourage adventure or creative play.
Knowledge translation tools, checklists and fact-sheets in simple, plain language	Either in the form of an infographic or poster, information directed to teachers or educators for conducting a risk-assessment and environmental scan of a play space before play. For example, “how-to” sheets
How to develop a ‘gear library’	A gear library may consist of rain jackets, mitts, boots, or snow pants. This is useful for low income schools or communities.
Research	
Canadian based case studies and success stories	Concrete examples that schools and municipalities could draw on that show the benefits of loose parts play, including age appropriate scenarios.
Comparison data	Research to inform decision-making between naturally sourced and catalogue play environments and the influence on injury rates; cost of ownership; activity levels; diversity of play.

Policy	
Recess Policy	Evidence on the importance of recess for children, including weather considerations.
True liability vs. Perceived liability	School and municipal based material outlining legal requirements and describing due diligence when providing access to unstructured play. This could include legal case examples. A resource to demystify what is and is not reasonable from a legal perspective.
Cost-benefit analysis of decisions	A template for school boards and municipalities to address issues framed in terms of costs and benefits.
National resources for risk management	Risk-benefit assessment, risk identification matrix, and mitigation plan templates.

APPENDIX 1: METHODOLOGY

a. Methods

Questionnaire

Key informants were interviewed using an open-ended, semi-structured questionnaire with 10-12 questions, depending on the context of the conversation. The interviewer rephrased questions as needed on the topics to which particular informants could best respond. The template was developed after conducting an environmental scan of existing research relating to child play, and was tested internally before being administered. Interviews were conducted by a Project Officer either on the phone or in person and took 45 to 75 minutes to administer. Consent was obtained prior to recording interview responses for transcribing and further analysis. The domains of the questionnaire addressed were: perspectives on the changes in play culture; decision-making barriers to providing unstructured play opportunities; tools currently used and needed to help make decisions; policy, standards, or guidelines used and their respective challenges; and, how challenges can be mitigated. **See Appendix 1.b** for sample questions.

Interview recruitment

Key informant interviews provide insight and understanding of the lived experiences, opinions, and perspectives of decision-makers and researchers via open dialogue between the interviewer and target sector. Key informants were experts in their respective field as a researcher or those with senior decision-making responsibility. A purposive, snowball sampling (or, chain sampling) approach to participant recruitment was taken. Initial key informants were selected from CPHA's Play Expert Advisory Committee. Future participants were recruited through the networks of the Advisory Committee members. Sampling recruitment ceased once redundancy in responses was apparent. Key informant sectors targeted include:

- Legal (personal injury lawyers)
- Insurance and risk management
- Municipalities (mayors, parks and recreation, public health)
- School Boards (teachers, principals, curriculum)
- Play space inspectors and architect designers
- Play advocates, workers, and researchers

Respondents

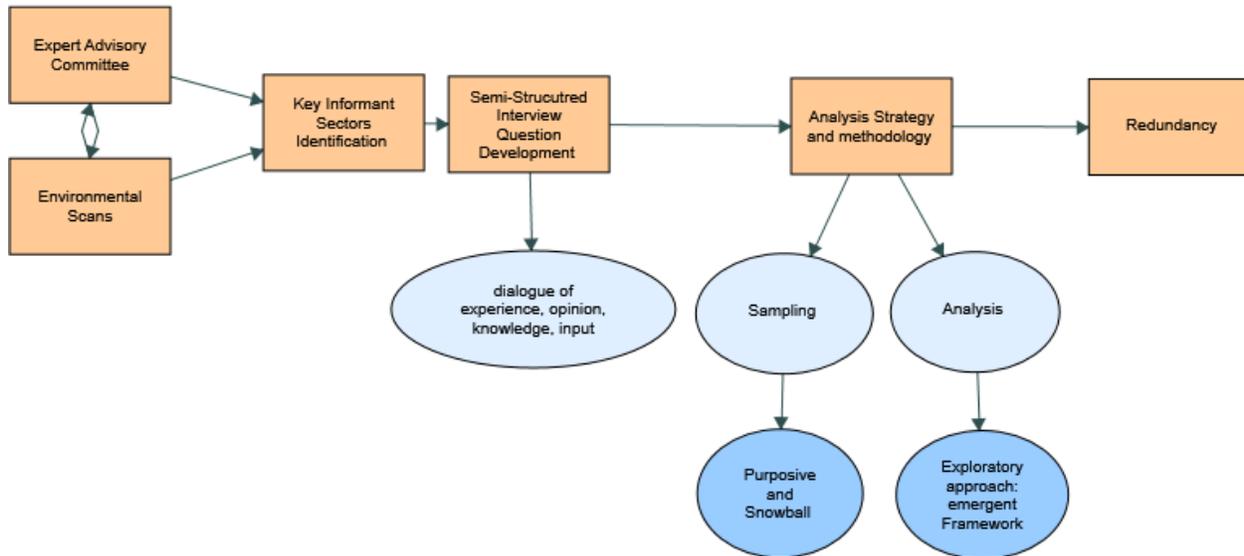
A total of 39 interviews were conducted with 42 key informants. Almost half (46%) were male and half (54%) female. There was representation from six provinces, including British Columbia, Alberta, Saskatchewan, Ontario, Quebec and Nova Scotia, with the majority of respondents located in Ontario. Over two thirds worked in an urban setting. All respondents were positioned at a senior level within their field.

Analysis

All interviews were transcribed, reviewed and approved for accuracy by the interviewee prior to qualitative exploratory analysis. As the selection and knowledge of the key informants is crucial to interpreting the results, participants were categorised based on their respective sector. Interview content was thematically coded using an emergent framework approach. This allowed for comparative analysis across sectors. The results in this report explore the findings from these interviews examining one interview as one unit of analysis.

Limitations

There are some disadvantages of this method. There was over-representation of researchers and play advocates/workers and less representation of the legal sector. Due to challenges in recruitment, there is not an equal spread of representation across Canada. Specifically, it was difficult to contact Northern key informants. Rural representation within the sample is present, but there is over representation of urban populations. Lastly, there is potential interviewer bias as there was only one analyst thematically coding interviews and conducting the majority of the interviews.



b . Interview Questions

1. What aspects of your work do you believe affect opportunities for unstructured child-led play? Are there any challenges you are facing in this regard?
2. In your time at your occupation, have you seen any changes around the perception of play? If so, who/what do you think is affecting this change?
3. Do you make a distinction between risk and hazard regarding unstructured child-led play injury cases/claims?
4. Do you have access to any tools that help to make decisions? What kind of tools would be useful in helping to make decisions?
5. Can you foresee standards or guidelines regarding the use of loose parts in play?
6. In your view, are there policy barriers that affect-decision making around unstructured child-led play opportunities at the provincial, municipal, early childhood education center, or school level?
7. Do you consider guidelines or standards when there is a child injury claim on a playground? If so, what is the purpose or need they are fulfilling?
8. Do you consider guidelines or standards regarding play structure usability (or accessibility)? If so, What purpose or need they are fulfilling? What is the outcome?
9. In your view, do you think school boards and municipalities are concerned about lawsuits or insurance claims resulting from child injuries? What would help mitigate these concerns?
10. In your work, do you see a change in the number of legal cases or insurance claims related to injury from play?

c. Raw count of decision making challenges categories by sector.

	Financial	Legal	Policies, Law, Standards, Guidelines	Reporting and the Evidence Base
Lawyer	1	2	1	0
Municipality	6	9	7	4
Play Inspector/Designer	4	4	5	5
Researcher/ Advocate	5	11	9	10
School Board	4	5	6	4
Insurance/Risk Management	0	3	1	3

APPENDIX 2: CSA STANDARDS AND UNIVERSAL DESIGN PRINCIPLES

a. Benefits and Barriers of CAN/CSA Z614

Benefits:

Design

- Some designers feel that they can comply with the CSA standard and still create challenging and stimulating environments for children.
- The Standard could be applied to natural play spaces and not just play structures. For example, instead of using a fabricated catalogue boulder made of plastic, the owner could seek a local granite boulder. The boulder itself would be made sure to comply with the CSA Standard (i.e. no sharp edges, protrusions, protective and accessible surfacing around it).
- Provides guides for accessible playgrounds in Annex H (i.e. access and surfacing).

Educational

- They are important for those who are not used to designing play environments to help consider the potential risks, for example educators/ day care providers.
- CSA compliance is required for day care licensure in some provinces in Canada (including Ontario and Quebec). In this process, municipalities use the Standard as an education tool to discuss hazard identification with child care facilitates.

Safety

- The Standards provide concrete, measurable criteria for safety in play.
- They provide a benchmark for a safe play space.
- They allow for hazard identification and elimination.

Access to funding:

- Schools and municipalities experience easier access to funding for CSA approved structures.

Demonstrate Due Diligence

- While the Standard is not required by law (they are voluntary), they can be used to demonstrate a level of reasonable care in reducing hazards and establishing a safer environment, illustrating due diligence by the owner/operator.

- For insurance purposes, the inspection records are useful to determine if steps were taken to ensure the equipment was repaired and proves to the courts that the school followed steps to maintain equipment safety.
- They are useful for playground inspectors and designers in demonstrating that reasonable precautions were taken to prevent injuries in design and inspection.

Quality Assurance

- To consumers, the Standard provides a means of quality assurance, consistency, risk management, and shows that there has been reasonable thought gone into play space criteria.
- Compliance demonstrates that a space is not designed arbitrarily, and a structured approach was used.
- Compliance eases the transaction between the manufacture/installer to the owner/operator.
- For municipalities, they provide assurance that what is implemented for play for the community is safe and the probability of incurring an injury is reduced.
- Parents feel assured that their children are playing in a safe environment.
- Assist in fundraising as parents feel assured that their children will be playing in a safe environment.

Barriers:

Produce overly safe environments limiting challenging play

- Play researchers, workers, and advocates believe that the Standard was built solely as a means of preventing injury. They are viewed as not being child-centered nor based on play value.
- Application of the Standard may cause injuries in other ways; if a child doesn't have the opportunity to develop coordination and body strength, they can encounter a serious injury later in life.
- The outcomes of the Standard are "cookie-cutter" playgrounds that are not meeting the developmental needs of children. When children are not provided the opportunity to engage in challenging play, they lack physical literacy skills and certain social behaviours. This limits children's ability to be independent, resilient, and able to problem solve.
- The structures take up a lot of space and are boring for children.

Developed in the workplace and applied to playgrounds

- They are very focused on injury prevention and apply what is known to prevent injury in the workplace to children's play.
- They do not consider risks and benefits for healthy child development during challenging play.

Play is controlled by Risk Management and Insurance

- Seen as an insurance tool for companies to feel they have done their due diligence. First the structure needs to be safe, compliant, and risk-free, while only latter considerations are around developmental benefits to children.
- Elements that aren't covered by the Standard are hard to interpret by inspectors outside the bounds of the CSA. Often, it is recommended to remove them.
- Decision makers err on the side of risk reduction; insurance requirements and risk management dictates and influences daily practices around play without considering the risk and benefits.
- They are being used as policy when they are guidelines. Directed by insurance and risk managers, the Standard is used as a design guideline for safety rather than for the primary purpose of the play.

- The Standard limits purchasing and implementation of elements that are beneficial for challenging play but are not compliant (pulley systems, heights, etc.). Schools are timid to implement an element that is not within the bounds of the Standard. Compliance limits the inclusion of natural elements and loose play parts.

Annex H for accessibility focuses solely on mobility

- Annex H is based on wheelchair accessibility and mobility rather than the wider range of disabilities/inabilities which are not physical, for example tactile or sensory elements.

Expensive and limit funding for other environments

- The CSA Standard may act as a barrier to municipalities accessing funding for other types of children’s play environments outside of “typical playgrounds”.
- If the Standard changes, then playgrounds have to change (after a major renovation or new build). There is constant change in compliance.
- CSA approved structures are costly to install and maintain.

b. Universal Design Principles

Principles of universal design¹¹

	Principle	Explanation
1	Equitable Use	The design is useful and marketable to people with diverse abilities.
2	Flexibility in Use	The design accommodates a wide range of individual preferences and abilities.
3	Simple and Intuitive	Use of design is easy to understand regardless of the user’s experience, knowledge, language skills, or education level.
4	Perceptible Information	The Design communicates necessary information effectively to the user regardless of ambient conditions or the user’s sensory abilities.
5	Tolerance for Error	The design minimizes hazards and the adverse consequences of accidental or unintended actions.
6	Low Physical Effort	The design can be used efficiently and comfortably and with a minimum of fatigue.
7	Size and Space for Approach and Use	Appropriate size and space is provided for approach, reach, manipulation, and use regardless of user’s body size, posture or mobility.

APPENDIX 3: LOOSE PARTS POLICY OR GUIDELINE CONSIDERATIONS**a . Possible requirements for a loose parts play policy/guideline**

Element	Benefit/Details	Sector Identified
Program (workshops and training) development for teacher and educator training on how to effectively set up play spaces and deliver play as a facilitator; teaching children to identify risks. This could include play work principles adapted from the UK and Wales ¹²	This could include a phase-in, graduated approach, starting with smaller loose parts and then adding in larger parts, like a plank.	Inspectors and designers Researchers and advocates School board
Training to play space inspectors, teachers, educators to identify hazardous elements (use case examples); model off accessibility training (AODA); Follow 7 principles for choosing materials ¹³	Hazard identification and elimination	Researchers and Advocates School board
Case Examples (on best practices) and outcome based guidelines	Evidence based practice	Inspectors and designers
Collaborate with risk managers, insurance, and inspectors to determine acceptable materials and minimum safety guidelines (measurements of materials, sizes, weights, types); set rules around acceptable donated equipment/materials	Ensures safety and reduces toxicity. For example, tires should not be used as gardens for edible plants because of the toxicity. Ensure parents are not donating unsafe equipment. Example: Donated materials to be as natural as possible and parts are sourced in Canada.	Inspectors and designers Risk management and Insurance Researcher and advocates School board Legal experts
Work with child health experts, teachers, and educators to determine diversity (sticks, crates, etc.) of age appropriate materials and progressive learning (graduated challenge) practices (this could include signage for age separated spaces). It is important to highlight the pedagogy around the practice.	Allows for principals to feel safe and empowered about their use; balances risk.	Inspectors and designers Risk management and insurance Researchers and advocates
Work with insurance/ risk management to determine inspection process and documentation processes to	Demonstrates a management/ risk assessment process to monitor implementation safety.	Risk managers and Insurance Inspectors and designers Legal experts

ensure maintenance of equipment		
Outline stakeholders and their responsibilities: EA's, teachers, parent council, principals, maintenance and facilities, students	Inspection schedule when items should be replaced. What are the expectations of the students: how should they be using equipment; how age groups should be separated when playing; what ages can take on what challenges.	School board
Determine safe put-back, storage, and take-out/introduction procedures (with seasonal considerations)	Considerations around materials developing mold.	Risk managers and Insurance Researchers and advocates School board Legal experts
Expand CSA Playground Standard Z614 to include annex for loose parts	As an annex this would be voluntary allowing for field testing over time and eventually incorporated into the Standard to provide a basis for	Inspectors and designers
Determine supervision ratios considering student population, age, and facilitating role of teacher/educator	For example, 2 facilitators per 15 children at Forrest school vs. 1 teacher per 300-400 students (OCDSB)	School board

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