



## Educators' Perceptions: Children's Unstructured Play

Early childhood education centres and schools can provide environments that encourage children to take risks, test their physical and mental capabilities,<sup>1</sup> and be active agents in navigating their environment.<sup>2</sup> They are also well positioned to empower children and encourage them to lead their own learning during play.<sup>2</sup> Over the past five decades, challenging play spaces for children have been increasingly restricted due to concerns for children's safety.<sup>3,4,5,6</sup> The limited available research from Australia, the United Kingdom, and the United States has identified a number of factors that influence educator perceptions on children's unstructured play. Unstructured play is where children engage in play without purpose and where children are directed by their own interests in the play activity.<sup>7</sup> The aforementioned factors limit opportunities for play where children are able to determine their own limits.

### Liability and duty of care

Westernized societies are increasingly risk averse.<sup>8</sup> Blame, claims, complaints, and litigation by parents and guardians have an impact on the notions of risk, duty of care, and accountability. Parents/guardians are increasingly influential in educational institutions, and their risk management decisions, which are reflected in governing school policies.<sup>9</sup> Educational Acts across the Nation divide the responsibility of children's safety between teachers and principals. Generally, teachers and principals are responsible for student well-being in the classroom, on school grounds, and during school-sponsored activities. A duty of care has been established in provincial Education Acts,<sup>10</sup> whereby teachers are expected to provide a standard of supervision at the level of a *careful and prudent parent* (i.e., "to protect their students from all reasonable and foreseeable risks of injury or harm").<sup>11</sup> Recently, this standard of care has increased as a result of cultural pressures from a risk-averse society to that of a *supra-parent*.<sup>12</sup> *Supra-parent* standard refers to teachers having a greater expectation to intervene than a parent when students are participating in potentially challenging activities during school-related activity.<sup>12</sup>

### Fear of litigation

Cultural cognition influences many school-based decision makers. The *perceived* risk of a serious injury, rather than the *actual* probability, reflects how risk is managed and regulated.<sup>3</sup> Regardless of low playground injury rates, the fear of litigation persists and consequently minimizes opportunities for challenging play.<sup>3</sup> Challenges in play are given a negative connotation that becomes associated with danger. Strict policies are then implemented that reduce the possibility of injuries and increase safety in harm-free play spaces. Thus, principals' and educators' practices are shaped around the avoidance of risks as they may represent dangerous situations.<sup>9</sup>

Educators currently believe that they work in environments that are increasingly litigious.<sup>13</sup> In a study of outdoor play in Australia, primary school teachers reported that they perceive themselves to be vulnerable to litigation resulting from a child experiencing an injury during the period the teacher held a duty of care to their students.<sup>14</sup> Primary school teachers worried about the devastating professional and personal repercussions that could occur if a child's injury were perceived as a consequence of a lack of an appropriate level of care.<sup>15</sup> As a result, these teachers knowingly limited children's freedom to play to avoid the potential repercussions of a child experiencing injury.<sup>14</sup> In a separate study, teachers stated that, should a legal claim or difficult situation occur, they did not feel protected by policy or governing authorities.<sup>15</sup>

*This project is funded with the generous support of the Lawson Foundation.*



The concept of ‘surplus safety’<sup>16</sup> becomes more prominent as educational facilities prioritize reducing institutional risk over educators’ well-being.<sup>17</sup> Educators follow the practice of surplus safety to avoid liability for a child’s injury, because of concern that their career could be jeopardized.<sup>14</sup> One study found that educators’ concerns for their students’ safety influenced their decisions regarding play opportunities.<sup>4</sup> These educators believed they could lose their job if parents disagreed with their actions.<sup>4</sup> As a result, some educators began to react to their *own* perceptions of risk in order to reduce their personal fears, rather than prioritize the benefits of children’s unstructured play.<sup>14, 18</sup> Indeed, some teachers may choose to alleviate their fears about the repercussions of children being injured while in their care by restricting children’s engagement in unstructured play.<sup>4</sup> Currently, many educators believe it is difficult to provide unstructured play opportunities to children while simultaneously trying to prevent the occurrence of injuries.<sup>19</sup> Instead of letting children apply their own judgement, educators revert to over-supervision, restriction, and discouragement.<sup>5</sup>

### **Pedagogical decision-making**

Regulatory pressure to protect children from injury contradicts childhood pedagogy that should focus on enabling children to become competent and capable.<sup>20</sup> Australian curriculum highlights the importance of allowing young children to engage in challenging play, but strict regulatory enforcement combined with restrictive physical environments (i.e., heights and surfaces) remove educators’ pedagogical decision-making,<sup>20</sup> leading to over-protection of children.<sup>20</sup> In order to comply with regulations that restrict challenging play, teachers often prohibit their students from changing their environments during play, ultimately limiting students’ creativity and unstructured play.<sup>3</sup> In addition, the perception of working in an environment of surveillance and discipline are stated as factors that limited educators’ ability to apply their own knowledge of child development to their practice. As a result, educators lose their power over individual decision-making, and some believe that they are incapable of providing students opportunities for quality unstructured play.<sup>17,21</sup> Furthermore, educators are seemingly unsure of when to interfere during play.<sup>14</sup>

### **Regulatory environments: The Australia-Norway contrast**

Litigation concerns and their consequent regulatory environments are less prevalent in some European and Scandinavian countries<sup>22</sup> that are more accepting of children’s unstructured play. In Norway, early childhood educators are governed by The Kindergarten Act<sup>23</sup> which identifies play as the primary source of a child’s learning, contributing to their healthy development. The Act fosters a climate where kindergartens provide children with play experiences within challenging, but safe, environments. It urges educators to provide unstructured play opportunities so that all children can learn risk mastery while testing their physical capabilities.<sup>23</sup>

Many educators in Norway perceive unstructured, challenging play as a crucial, unavoidable part of a child’s learning.<sup>24</sup> Educators who allowed exposure to this kind of play were those who valued being outdoors, enjoyed physical activity, and allowed children to explore challenges in their environments without putting them in hazardous situations.<sup>25</sup> An Australian study (that interviewed Norwegian and Australian educators) reported that educators from Norway and Australia recognized the importance of children’s unstructured play and believed it was important for healthy childhood development; however, policing regulations and litigious contexts restricted decision-making among Australian educators. Consequently, Australian educators limited this play. Furthermore, Norwegian educators spent a greater amount of the school day outside compared to Australian educators. Australian educators noted that they involve the children in decision-making around play, while Norwegian educators allow children to make their own decisions when responding to their environment during play. Australian teachers reported tension at times when supporting children’s decision-making

between what they would like to allow versus their concerns for a duty of care under existing regulations.<sup>23</sup>

An important factor to Norwegian educators' approach to play is that the culture of litigation from parents is not common in Norway, nor are playground standards restricting heights and surfaces. As a result, their students are provided with unstructured play opportunities without concern regarding supra-parent accountability, or of being sued in the case of a child injury.<sup>3,26</sup> The regulatory environment for Norwegian educators allows for the application of their professional judgement while managing students' play, whereas Australian teachers have less flexibility.<sup>3</sup> The Australia-Norway contrast demonstrates how cultural cognition influences educators' beliefs and perceptions concerning children's unstructured play and the affordance of opportunities to engage in challenges during play.<sup>3</sup>

### Summary

Educators and school boards in Canada are held to a high standard of care to prevent injury of children. Fear of litigation and its repercussions contribute to strict regulatory environments that limit educators' pedagogical decision-making. Their practice often emphasizes safety rather than supporting developmentally beneficial children's unstructured play.

---

### References

- <sup>1</sup> Greenfield C. 'Can run, play on bikes, jump the zoom slide, and play on the swings': exploring the value of outdoor play. *AJEC* 2004;29(2):1-5.
- <sup>2</sup> Stonehouse, A. NSW Curriculum Framework for Children's Services: the Practice of Relationships. Sydney: NSA Department of Community Services, Office of Childcare, 2001.
- <sup>3</sup> Little H. Risk, challenge and safety in outdoor play: Pedagogical and regulatory tensions. *Asia-Pacific Journal of Research in Early Childhood Education* 2010;4(1):3-24.
- <sup>4</sup> Niehues NA, Bundy A, Broom A, Tranter P, Rage J, Engelen L. Everyday uncertainties: reframing perceptions of risk in outdoor free play. *Journal of Adventure Education & Outdoor Learning* 2013;13(3):223-237.
- <sup>5</sup> Sandseter EBH. Children's risky play in early childhood education and care. *Child Links. Children's Risky Play* 2011;3: 2-6.
- <sup>6</sup> Clements R. An investigation of the status of outdoor play. *Contemp Issues Early Child* 2004;5(1):68-80.
- <sup>7</sup> Sandseter EBH. Categorising risky play - How can we identify risk-taking in children's play? *EECERJ* 2007;15(2):237-252.
- <sup>8</sup> Tremblay MS, Gray C, Babcock S, Barnes J, Bradstreet CC, Carr D, ... et al. Position statement on active outdoor play. *Int J Environ Res Public Health* 2015;12(6):6475-6505.
- <sup>9</sup> Perry L. Risk, error and accountability: Improving the practice of school leaders. *Education and Recess Policy and Practice* 2006;5:149-164.
- <sup>10</sup> Ontario Ministry of Education. The Education Act, 2018. Available at: <http://www.edu.gov.on.ca/eng/general/elemsec/speced/edact.html> (Accessed November 8th, 2018).
- <sup>11</sup> Berryman JH. (1998). Duty of care, 1998. Available at: [http://professionallyspeaking.oct.ca/december\\_1998/duty.htm](http://professionallyspeaking.oct.ca/december_1998/duty.htm) (Accessed November 8th, 2018).
- <sup>12</sup> Tomlinson J. 2013b. Kids may be kids, but adults oversee: The liability of adult supervisor for child injuries. McCague Borlack LLP, 2013.
- <sup>13</sup> Boyle T, Phelps R. Pathways to teaching: A curriculum innovation enhancing recognition of students' career aspirations and expectations: Redesigning curriculum to acknowledge diversity. *IJL* 2010;17(2):357-370.
- <sup>14</sup> Bundy A, Tranter P, Naughton G, Wyver S, Luckett T. Playfulness: interactions between play contexts and child development. *J. Bowes & R. Grace, Children, Families and Communities: Contexts and Consequences, 3rd edition.* 2009b;76-87.
- <sup>15</sup> Bundy A, Luckett T, Tranter P, Naughton G., Wyver S, Ragen J, Spies G. The risk is that there is "no risk": A simple innovative intervention to increase children's activity levels. *International Journal of Early Years Education* 2009a;17(1):33-45.
- <sup>16</sup> Buchanan C. Building better playgrounds: a project for parents? *UAB Magazine.* 1999;19(3).
- <sup>17</sup> French M, Sumison J, Goodfellow J. The regulatory environment in long care: A double edged sword for early childhood professional practice *AJEC* 2006;31(3):49-58.
- <sup>18</sup> Tovey H. Achieving the balance: Challenge, risk and safety. *Outdoor Provision in the Early Years* 2011;86-94.
- <sup>19</sup> Sandseter EB. Scaryfunny. A Qualitative Study of Risky Play Among Preschool Children, 2010. Available at: [https://brage.bibsys.no/xmlui/bitstream/handle/11250/270413/322544\\_FULLTEXT02.pdf?sequence=1&isAllowed=y](https://brage.bibsys.no/xmlui/bitstream/handle/11250/270413/322544_FULLTEXT02.pdf?sequence=1&isAllowed=y) (Accessed November 8th, 2018).

- 
- <sup>20</sup> Little H. Children's risk-taking behaviour: Implications for early childhood policy and practice. *International Journal of Early Years Education* 2006;14(2): 141-154.
- <sup>21</sup> Brown K, Sumison J. Voices from the other side of the fence: Early childhood teachers' expectations with mandatory requirements. *Contemp Issues Early Childd* 2007;8(1): 30-49.
- <sup>22</sup> Little H, Sandseter EB, Wyver S. Early childhood teachers' beliefs about children's risky play in Australia and Norway. *Contemp Issues Early Child* 2012;13(4):300-316.
- <sup>23</sup> Norwegian Ministry of Education and Research [NMER]. 2006. Framework Plan for the Content and Tasks of Kindergartens. Norwegian Ministry of Education and Research, 2006. Available at: <https://www.regjeringen.no/globalassets/upload/kd/vedlegg/barnehager/engelsk/frameworkplanforthecontentandtasksofkindergartens.pdf> (Accessed November 8th, 2018).
- <sup>24</sup> Sandseter EBH. Challenging and risky play outdoors in preschool: Affordances of the play environment, 17<sup>th</sup> EECERA Annual Conference. Prague, 2007.
- <sup>25</sup> Stephenson A. Physical risk taking: Dangerous or endangered? *Early Years* 2003;23(1):35-45.
- <sup>26</sup> New RS, Mardell B, Robinson D. Early Childhood Education as Risky Business: going beyond what's 'safe' to discovering what's possible. *ECRP* 2005;7(2):1-21