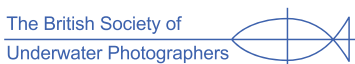


PAS 520:2017

Safeguarding 0 to 4 year old children within the teaching of swimming, including any associated professional photography – Code of practice



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Contents

Foreword	ii
Introduction	iv
1 Scope	1
2 Normative references	1
3 Abbreviations, terms and definitions	2
4 Specialist baby and toddler swimming school management culture	4
5 Swimming pool safety operating procedures	5
6 Normal operating procedures	6
7 Safeguarding	11
8 Emergency action plans	12
9 Management of underwater photography	14
10 Products – Infant swimming wear	16
11 Equipment	17
12 Documented systems, policies, practices and procedures	18
13 Customer relationships	20
14 Staff management and development	21
15 Swimming school business service development and planning	23
Annexes	
Annex A (informative) Glossary of terms	24
Annex B (normative) Terms and conditions	25
Annex C (informative) Addresses of relevant organizations	26
Bibliography	30
Further reading	31



Foreword

This PAS was sponsored by Water Babies, Swim England and Splash About International Ltd. Its development was facilitated by BSI Standards Limited and it was published under licence from The British Standards Institution. This PAS came into effect on 30 April 2017.

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- Splash About International Ltd
- Swim England
- Swimming Nature
- Swimming Teachers' Association (STA)
- Water Babies

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This PAS is not to be regarded as a British Standard. It will be withdrawn upon publication of its content in, or as, a British Standard.

The PAS process enables a code of practice to be rapidly developed in order to fulfil an immediate need in industry. A PAS can be considered for further development as a British Standard, or constitute part of the UK input into the development of a European or International Standard.

Supersession

This PAS supersedes PAS 520:2015, which is withdrawn.

Information about this document

This is a full revision of the PAS and introduces the following principal changes:

- recommendations concerning swimming school class types and teaching ratios;
- recommended qualifications; and
- alignment of wording (e.g. 'responsible adult', 'member of staff').

Use of this document

As a code of practice, this PAS takes the form of guidance and recommendations. It should not be quoted as if it were a specification and particular care should be taken to ensure that claims of compliance are not misleading.

Any user claiming compliance with this PAS is expected to be able to justify any course of action that deviates from its recommendations.

It has been assumed in the preparation of this PAS that the execution of its provisions will be entrusted to appropriately qualified and experienced people, for whose use it has been produced.

Presentational conventions

The provisions of this PAS are presented in roman (i.e. upright) type. Its recommendations are expressed in sentences in which the principal auxiliary verb is “should”.

Commentary, explanation and general informative material is presented in italic type, and does not constitute a normative element.

The word “should” is used to express recommendations of this standard. The word “may” is used in the text to express permissibility, e.g. as an alternative to the primary recommendation of the clause. The word “can” is used to express possibility, e.g. a consequence of an action or an event.

Notes are provided throughout the text of this standard. Notes give references and additional information that are important but do not form part of the recommendations.

Contractual and legal considerations

This publication does not purport to include all the necessary provisions of a contract. Users are responsible for its correct application.

Compliance with a PAS cannot confer immunity from legal obligations.



Introduction

There is a clearly defined need to promote the underpinning skills, knowledge and competencies required to ensure that the management of swimming schools who specialize in teaching babies and toddlers to swim (0 to 4 years specifically), are complying in full with current good industry practice and standards. At the same time, it is important that the management of such schools adopt adequate safeguarding measures that address health and safety, poor practice and minimizing the risk of abuse specific to recognized teaching pre-fundamental aged children.

Additionally, those specialist swimming schools that engage in the photography of pre-fundamental aged children as part of their service offering and/or programme might also seek to comply with industry good practice in terms of the technical competencies required of those managing the photo shoot, including accredited qualifications for photographers and approved codes of practice for the installation and use of portable equipment in and around an aquatic environment.



1 Scope

This PAS gives recommendations for all providers of the teaching, and/or associated photography, of 0 – 4 year old children at the pre-fundamental stages of swimming.

It covers all aspects of operating, managing and development of a commercial swimming business or programme in this specialist area and clearly addresses the safeguarding of the end user.

This PAS does not cover the safeguarding of children over the age of 4 years of age. Nor does it cover photography that is separate to the teaching of swimming, or the safety/suitability of buoyancy/ toy equipment other than that which is used for the teaching and/or photography of children aged 0 – 4 years.

2 Normative references

The following documents, in whole or in part, are normatively referenced in this document and are indispensable for its application. For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies.

Standards publications

BS EN 13138-1, *Buoyant aids for swimming instruction — Safety requirements and test methods for buoyant aids to be worn*

BS EN 13138-2, *Buoyant aids for swimming instruction — Safety requirements and test methods for buoyant aids to be held*

BS EN 13138-3, *Buoyant aids for swimming instruction — Safety requirements and test methods for swim seats to be worn*

BS EN 13451-1, *Swimming pool equipment — General safety requirements and test methods*

BS EN 15288-2, *Swimming pools — Safety requirements for design*

Other publications

[N1] HSG179, *Managing health and safety in swimming pools*

[N2] STA policy, *Baby swimming policy*

[N3] Swim England policy, *Wavepower 2016/19*

[N4] Pool Water Treatment Advisory Group, *Swimming pool water treatment and quality standards for pools and spas*

3 Abbreviations, terms and definitions

3.1 Abbreviations

For the purposes of this PAS, the following abbreviations apply.

EAP	emergency action plan
NOP	normal operating plan
PSOP	pool safety operating procedure
PWTAG	pool water treatment advisory group
RIDDOR	reporting of injuries, diseases and dangerous occurrence regulations

3.2 Terms and definitions

For the purposes of this PAS, the following terms and definitions apply. Refer to Annex A for a further glossary of terms.

3.2.1 abuse

action that intentionally harms or injures another person

NOTE Types of abuse include physical, sexual, discriminatory, financial, psychological or emotional.

3.2.2 accident

separate, identifiable, unintended incident, which causes physical injury

NOTE See RIDDOR [1].

3.2.3 code of conduct (for safeguarding)

standards of behaviour required of an individual to protect and promote the welfare of children of all ages

NOTE Includes working practices and whistleblowing.

3.2.4 competency

qualified individual having sufficient skills or knowledge and or experience to adequately undertake a specific job function

3.2.5 double nappy system

system whereby two nappies are worn by the baby/toddler to reduce the risk of faecal accidents in the pool water from occurring

NOTE The double nappy system consists of a disposable or reusable paper swim nappy underneath an additional neoprene swim nappy at all times whilst swimming. Neoprene, or equivalent nappy cover, is an industry standard and currently provides the most appropriate levels available in order to prevent contamination of swimming pool environments.

3.2.6 drowning

respiratory impairment from being in or under liquid, leading to asphyxia, unconsciousness and eventual death

3.2.7 duty of care

moral or legal obligation to ensure the safety or well-being of an individual

3.2.8 emergency action plan (EAP)

document that provides specific instruction to staff on how to deal with emergencies on a site specific basis

3.2.9 forced submersion

when a child is deliberately forced under the water without one of the following:

- prior training;
- confirmation from the teacher that, in their view, the child is prepared;
- the consent of the responsible adult

3.2.10 hazard

something that has the potential to cause injury or harm

3.2.11 intentional submersion

when a child is deliberately swum underwater following a period of specialist training, by a specifically trained baby swimming teacher and with the acceptance of the child and consent of the responsible adult

3.2.12 member of staff

employee charged with carrying out the work of the swim school

3.2.13 national governing body

independent, self-appointed organization that governs its sport and associated activities through the common consent of its sport and its members

3.2.14 near miss

unplanned event that did not result in injury, illness or damage, but had the potential to do so

3.2.15 normal operating plan (NOP)

document that provides specific instruction on the daily operational routines on a site specific basis

3.2.16 pool safety operating procedure (PSOP)

document that includes the normal operating procedures (NOP) and emergency action plan (EAP)

3.2.17 pre-fundamental

children aged 0 to 4 years

NOTE The term 'pre-fundamental' typically refers to children aged 0 to 5 years.

3.2.18 responsible adult

person, over the age of 16 years, with specific responsibility for the welfare of a child

3.2.19 risk assessment

process of evaluating risk to the health and safety of employees, children and members of the public from workplace/local hazards

NOTE A hazard can be anything, ranging from work materials through to work methods and a risk is the chance, high or low, that someone may be harmed by a hazard.

3.2.20 safe systems of work

formally documented procedure resulting from a systematic analysis of a task in order to identify all relevant hazards and defines the safe method to eliminate or minimize the risk

3.2.21 safeguarding

prevention or response to child safety concerns that might arise as a result of the behaviour of adults (including a responsible adult), carers, swimming school or venue staff and volunteers or members of the public) or other young people

3.2.22 swimming/hydrotherapy pool

excavated or suspended structure that contains water, specifically constructed for the purpose of recreational swimming, swimming teaching, rehabilitation and/or water related activities

3.2.23 swimming/hydrotherapy pool disinfection

deactivation or killing of pathogenic microorganisms in a swimming and/or hydrotherapy pool

NOTE This process can be achieved by means of chemical disinfectants.

3.2.24 swimming school

organization whose core business is the delivery of learn to swim classes and related activity

3.2.25 swimming teaching programme

swimming classes are the process of learning to swim, through a number of progressive stages or curriculum

3.2.26 third party share agreement

agreement between the owner of a swimming or hydrotherapy pool and the person hiring the facilities

3.2.27 underwater photographer

trained competent individual who has undergone specific specialist training in the photography of babies and pre-fundamental aged children learning to swim

3.2.28 underwater photography

process of taking photographs while underwater

3.2.29 vocational awarding body

body issuing qualifications (certificates, diplomas or titles) formally recognizes the learning outcomes (knowledge, skills and/or competencies) of an individual, following an assessment and validation process

4 Specialist baby and toddler swimming school management culture

4.1 Organizational and management culture

4.1.1 The swimming school should have a defined set of processes in place for how it communicates with its staff, customers and key stakeholders.

4.1.2 The business plan and objectives of the swimming school should be documented and understood by all those employed by the swimming school.

NOTE Attention is drawn to the Companies Act 2006 [2].

4.1.3 There should be an organizational structure in place that details the roles and responsibilities of all staff, including the owners of the business, stakeholders and trustees.

4.1.4 Furthermore, the swimming school should have:

- a) a set of procedures (which may include relevant performance indicators) in place for each of its different services;
- b) a documented set of core values that is understood by its staff, customers and key stakeholders;
- c) a formal structure in place for receiving and actioning feedback from staff, customers and stakeholders.

NOTE For example; swimming lessons, products and photography.

4.2 Health and safety policy

The swimming school should have a health and safety policy¹⁾ which is reviewed, at minimum on an annual basis.

4.3 Risk assessments

All swimming schools should undertake risks assessments to assess risk in the workplace to the health and safety of employees, children and members of the public from workplace/local hazards.

NOTE For swimming schools who have a duty under health and safety law to assess risk in the workplace, further guidance can be found in the HSE publication Risk assessment; A brief guide to controlling risks in the workplace [3] and Managing for health and safety (HSG65) [4].

¹⁾ Attention is drawn to writing a health and safety policy on the HSE website: <http://www.hse.gov.uk/>

4.4 Third party hire/share agreements

Any third party hire agreements between the swimming school and pool operator and/or landlord should clearly define areas of responsibility, including safeguarding arrangements, and wherever possible ensure that all parties comply in full with their legal obligations and duty of care.

NOTE This does not constitute an exhaustive list of terms and swimming schools may want to undertake their own due diligence to identify all suitable agreement terms.

4.5 Insurance

The swimming school should maintain appropriate levels of insurance to protect all areas of its service activity, including cover for teachers and instructors. Consideration should also be given to volunteers who, in the event of an injury, could claim employees' rights.

NOTE 1 Swimming schools are encouraged to consult with a specialist broker but recommended cover is public and products liability for a limit of indemnity per occurrence, of £10 m (in the aggregate in respect of products liability). Also recommended is cover for "errors and omissions in advice" specifically in relation to bodily injury, which may be covered by way of an extension to a public liability policy or as a separate professional indemnity policy. Again, the minimum recommended limit of indemnity is £10 m.

NOTE 2 Swimming schools with employees (including for example self-employed instructors and volunteer helpers) are required by law to have Employers Liability protection. The accepted limit of indemnity is £10 m.

NOTE 3 Swimming schools, irrespective of their status, are subject to the same laws that govern all UK companies. If they are in breach of them or a third party makes a claim as a consequence of the management of the company, individuals could be held personally liable. That being the case a management liability (or Directors and Officers Indemnity) policy is recommended. The recommended limit of indemnity £500,000, but is likely to be much higher for larger companies.

NOTE 4 Attention is drawn to the Statutes of Limitations (under UK law) [5] where strict time limits apply for making a personal injury claim. The Statute of Limitations for injury to children starts at the 18th birthday. In practice this means if an injury occurred to a child, under the age of 18, he/she has until the age of 21 to initiate proceedings. Under certain circumstances a judge might choose to extend the statutes if the case is a particularly serious one.

5 Swimming pool safety operating procedures

5.1 The swimming school should have documented pool safety operating procedures (PSOP). The PSOP should consist of the normal operating plan (NOP) (see Clause 6) and the emergency action plan (EAP) (see Clause 8).

5.2 Where the swimming school is not the landlord/pool operator, the swimming school should ensure that its PSOP (NOP and EAP) is aligned with the landlord/pool operator's PSOP and should hold confirmation of agreement signed by both parties.

5.3 The daily operation of the swimming school should be carried out in accordance with the NOP. In an emergency, the action to be taken by staff should be carried out in accordance with the EAP.

5.4 The swimming school should only use pool environments, irrespective of whether they are traditional swimming pools and/or hydrotherapy pools in hospitals or schools, that are subject to an appropriate risk assessment where control measures are put in place to prevent harm.

5.5 The swimming school should check that when facility alterations are made, new equipment is installed or in the event of a major incident, the risk assessment is reviewed and revised, and appropriate changes made to the PSOP.

NOTE A major incident is defined as occurrences that are reportable under RIDDOR [1].

5.6 The swimming school should have systems in place to inform, train, assess and record all staff with the provisions of the PSOP. All staff should be provided with clear instructions, information, adequate training and be assessed as competent to work in accordance with provisions of the PSOP. All instructions, training and assessments should be recorded.

5.7 Once the staff member has read, understood, been trained in and assessed as competent in the PSOP, the staff member should record the information by signing and dating a PSOP competence record sheet.

5.8 All swim school operators should have someone in their business who holds a current Pool Plant Operators certificate therefore raising levels of competence, education and understanding of how pools operate and issues concerning cross contamination.

5.9 Arrangements should be agreed and communicated with responsible adults regarding collection/drop off of children, changing rooms before/after and supervision outside immediate teaching activities.

5.10 Where a swimming pool is an ancillary part of a larger complex (e.g. hotel pool, hospital pool, leisure centre, health and fitness club, school) the swimming school should designate and document a member of staff to be responsible for the safe operation of the swimming school.

NOTE For more specific advice on training, see HSE leaflet *Health and safety training: A brief guide (INDG345)* [6].

6 Normal operating plan

6.1 General

6.1.1 The swimming school should have a documented site-specific NOP for the operation of the swimming school within a swimming pool.

6.1.2 As a minimum the NOP should include information and procedures on:

- a) details of the pool (see 6.2);
- b) potential risk factors (see 6.3);
- c) dealing with the public (see 6.4);
- d) safe systems of work (see 6.5);
- e) detailed work instructions (see 6.6);
- f) use and maintenance of alarm systems, emergency exits and pool safety equipment (see 6.7);
- g) equipment maintenance (see 6.8);
- h) use of mobile phone and/or audio visual equipment (see 6.9);
- i) conditions of hire or service level agreements (see 6.10);
- j) organization chart (see 6.11);
- k) swimming classes (see 6.12);
- l) cleanliness and hygiene (see 6.13);
- m) water testing, quality and temperature (see 6.14).

6.2 Swimming pool details

NOTE 1 Further information can be found on the guidance of swimming pool design and managing design problems in HSE's publication, HSG179 [N1].

NOTE 2 PWTAG's Swimming Pool water treatment and quality standards for pools and spas [N4] provides guidance on the design process and design issues.

6.2.1 Physical design specification

A physical design specification should include as a minimum:

- a) pool dimensions and depths;
- b) features and equipment;
- c) a plan of the building;
- d) emergency alarms and emergency exit routes;
- e) access routes.

6.2.2 Swimming pool features

6.2.2.1 The safe systems of work for operating key pool features should be determined in accordance with a risk assessment (see 4.3).

6.2.2.2 The safe systems of work for key pool features should be documented and staff should be informed, trained and assessed as competent to operate. Key pool features that should be assessed include:

- a) moveable floors; and
- b) pool covers.

6.3 Potential risk factors

The swimming school should identify and document in accordance with a risk assessment (see 4.3) the main hazards and outline users that are at risk of those hazards.

All documented procedures should be stored in a secure location, although accessible to all staff likely to require access.

6.4 Dealing with the public

Policies outlining good practice when dealing with the public should be detailed in the NOP and include at a minimum:

- a) arrangements for communicating safety messages to customers;
- b) poolside rules;
- c) controlling access and admission;
- d) customer care and complaints;
- e) staff uniform.

6.5 Safe systems of work/staff

6.5.1 General

Provision of safety staff and systems should be determined in accordance with a risk assessment (see 4.3) that covers:

- a) number of staff required to provide safety cover for each specific class;
- b) lifeguarding/lifesaving qualifications required by staff providing safety cover (see 14.5);