

Water Safety Policy

February 2024



1. INTRODUCTION

On average, 400 people accidentally drown in the UK each year (National Water Safety Forum). Many of those people had no intention of entering the water, they are simply everyday mistakes such as a trip or fall into water or misjudgements such as underestimating the effect of swimming in cold open water. Others result from inherently risky activities like jumping/tombstoning from a great height into water.

This policy outlines the Council's approach to managing foreseeable risk and ensuring, as far as reasonably practicable, the safety of Council owned open water bodies.

2. SCOPE and DEFINITION

A water body or body of water is defined as any significant accumulation of water, the term most often refers to oceans, seas, and lakes, but it includes smaller pools of water such as ponds, wetlands, reservoirs, and lodges. Whilst rivers, streams and other forms of moving water are considered water bodies, the scope of this water policy extends to contained water only.

The Council have undertaken an exercise to identify water bodies across the authority and have mapped their location as an 'asset' on the Alloy asset management system. Water bodies within Chorley Borough are typically ponds, lodges and small reservoirs, only permanent water bodies have been defined as assets. Areas which are subject to water level changes i.e. not visible in dry weather but present after heavy rain or areas prone to flooding, are not included.

Water bodies located on Council owned land leased to a third party remain the responsibility of the leaseholder, which is included in leaseholder agreement.

3. POLICY AIMS and OBJECTIVES

The aim of this Water Safety Policy is to set out the Council's risk-based approach to the inspection and maintenance of water bodies on Council owned land and the promotion of the safe use of these areas.

The Council's duty of care requires that safety measures must be applied where this can reasonably be expected. This Water Safety Policy includes the Council's risk management, inspection and maintenance procedure and demonstrates how the Council has undertaken all reasonable measures to ensure the safety of its' water bodies.

The objectives of this policy are:

1. **Reduced risk** – a proactive approach to water safety management and risk assessment will seek to identify and manage any risks before accidents occur.
2. **Consistency** – a clear and consistent policy is available to all Council officers involved in water safety.
3. **Fewer accidents** – identification of hot spots and potential accident locations, allowing targeting of risk management measures such as enhanced inspection regimes, public rescue equipment and hazard warning signs.

4. LEGISLATION

The basis of health and safety law is the Health and Safety at Work etc Act 1974. The Act sets out the general duties, which employers have towards employees, members of the public, and those that employees have to themselves and to each other.

The Health and Safety at Work etc Act 1974 places a duty on employers to ensure, as far as is reasonably practicable, that in the course of their undertaking, members of the public are not put at risk. Furthermore, the Management of Health and Safety at Work Regulations 1999 require an employer to make a 'suitable and sufficient assessment of the risks to the health and safety of persons not in his employment arising out of or in connection with the conduct by him of his undertaking'. Therefore, the duty to carry out risk assessments extends to visitors as well as employees.

A further statutory duty towards visitors arises under the Occupiers Liability Act 1957. An occupier of premises has a duty of care to any visitors using the premises for the purposes for which they are permitted or invited to be there.

In addition, the civil law allows injured people to make a claim for damages where they can prove that they were owed a duty of care and that there was a breach of that duty that led to their injury. This is known as the 'common law duty of care'. Therefore, in the same way as ensuring the safety of employees whilst at work requires a pro-active management approach, this also extends to visitors.

Section 6 of this policy sets out how the Council will fulfil its duty in accordance with legislation and associated guidance.

5. ROLES and RESPONSIBILITIES

5.1 Chief Executive

The Chief Executive has overall responsibility for the implementation of this policy.

5.2 Director

The Director (Customer & Digital) is responsible for ensuring there are appropriate arrangements in place to support this policy, including resources. The Director must be aware of their duties and responsibilities in relation to the associated legislation.

5.3 Head of Service

The Head of Service (Streetscene & Waste) is responsible for ensuring the mechanisms are in place to facilitate the arrangements afforded by the Director and that the duties of staff under their control are being fulfilled. The Head of Service will play an active role in monitoring outcomes from this policy to provide assurance that water safety across the Borough is being suitably and sufficiently managed through a robust risk management system. The Head of Service must be aware of their role and responsibilities in relation to the associated legislation.

5.4 Team Leader

The Team Leader is responsible for directly managing the Ranger Team, who primarily undertake the duties involved in water safety management. The Team Leader will:

- Complete site-specific risk assessments in conjunction with the Rangers
- Undertake risk assessment reviews in conjunction with the Rangers.
- Monitor the completion of inspections to ensure the inspection schedule is maintained.
- Monitor the completion of remedial actions raised on inspection, including those associated with reservoir supervision observations and inspections.

- Ensure relevant information, instruction and training is made available to staff under their supervision and to volunteers as appropriate.
- Maintain training records.
- Make available the necessary resources.
- Visit site as required.

5.5 Employees

Whilst the principles of this policy are to be applied by all Council employees, those staff employed in the role of a Ranger have specific duties. These include:

- Completing inspection frequency assessments.
- Completing site specific risk assessments in conjunction with the Team Leader.
- Reviewing site specific risk assessments in conjunction with the Team Leader.
- Completing inspections using Alloy in accordance with the inspection schedule.
- Raising remedial actions and ensuring completion of those actions.
- Undertaking routine maintenance as set out in the programmed maintenance schedule.
- Complete any training required to undertake their role.
- Supervising volunteers.
- Accompanying supervising and inspecting (panel) engineers.
- Reporting any incidents, accidents or near misses in line with the Council reporting procedure.
- Have a presence at high-risk sites.
- As appropriate provide water safety information to visitors and members of the public, raise awareness of the dangers of open water and if safe to do so, challenge unsafe behaviours.
- Wear PPE provided.

5.6 Volunteers

The Ranger team support a healthy and active volunteer arrangement, so it is important both the Council and volunteers understand their roles and responsibilities. The general principles of volunteering are set out in the Volunteer Policy. In relation to volunteering with the Ranger team, volunteers must:

- Apply the information, instruction and training they have received.
- Only undertake tasks or use equipment they have been trained to do so.
- Report any incidents, accidents or near misses in line with the Council reporting procedure.
- Wear PPE provided.

5.7 Health and Safety Advisor

The Health and Safety Advisor will support the implementation of this policy as appropriate. The Health and Safety Advisor has a role in delivering health and safety training and monitoring the completion of risk assessments on the Harriet system.

5.8 Property Services Manager

The Property Services Manager will be responsible for arranging reservoir inspections and ensuring remedial actions identified during the inspection, are completed.

6. RISK MANAGEMENT

The risk assessment process will follow the five-step approach as outlined by the Health and Safety Executive (HSE):

1. Identify the hazards
2. Decide who might be harmed and how

3. Evaluate the risk and decide on precautions
4. Record the findings and implement them
5. Review the risk assessment and update if necessary

Risk assessments will be completed on the HARRIET risk assessment system and findings of the risk assessments communicated to staff involved with water safety management.

6.1 Hazard Identification

When undertaking risk assessments associated with water bodies, it is necessary to consider the hazards typically encountered when accessing these areas, particularly by members of the public. The table below includes water body characteristics and activities, authorised and unauthorised, which have been identified as foreseeable risks.

Consideration	Potential hazard / risk
Water temperature	Entering cold water suddenly can lead to cold body shock.
Proximity to/demarcation of waters edge	Slips/trips/falls near water carry the risk of injury or drowning. Sloped banks may cause slips or hidden banks can give a false impression of the water edge.
Depth of water	Sheer drops from the edge (or close to the edge e.g. reservoirs) into deep water is a significant risk.
Unauthorised entry into water	Swimming/bathing in water, jumping/diving into water. Risk of injury and drowning. Hidden dangers: becoming trapped in deep silt/mud; entrapment or injury from fly-tipped objects. Poor water quality/contamination risk to public health through skin exposure or ingestion.
Person on frozen water/thin ice	Risk of injury and drowning from freezing water if ice breaks.
Waterside activity e.g. angling, animal rescue	Risk of injury and drowning from falling into or entering water.
Alcohol use in vicinity of water	Impairs abilities and can encourage dangerous risk-taking behaviour. Risk of drowning.
Currents	Moving water is hazardous and currents may not always be apparent from the bank. Heavy rain and floods can also drastically change the nature of the water body.
Remote locations	Many water bodies are situated in remote locations there may be a lack of immediate assistance available in an emergency.
Poor visibility	Many water bodies may not be clearly visible particularly at night in areas without light.
Authorised uses	Where there are authorised uses e.g. angling, any hidden dangers or hazards should be made explicitly clear to the site user.

6.2 Control Measures

There are number of control measures which can be applied to water safety management. These include but are not limited to:

6.2.1 Use of Byelaws

Chorley Council Byelaws (Part 5, Waterways) regulate or prohibit the following water activities on or around council owned water bodies:

1. Bathing or swimming
2. Ice Skating
3. Model Boats
4. Boats
5. Fishing
6. Blocking of watercourses

These byelaws are enforced by Council staff where applicable and appropriate. They are displayed where required or signs advise where the byelaws can be viewed on the Council's website.

6.2.2 Signage

Use of signage is important to improve awareness of dangers and warn of hazards. There are different types of sign and their use and size depends on site usage and profile.

- Access signs should be an informative sign/map at the entrances to a site e.g. carpark, or boundary gate explaining the risks and safety features of the site. This can include information on what to do in an emergency, nearest public phone, general advice, and warnings such as "No Swimming" or "Danger – Deep Water".
- Safety signs should be located at the risk area in a prominent position highly visible to visitors and should display key safety messages. The location for these should be strategic with appropriate locations selected.

6.2.3 Accessibility to the water

In some instances where the risk of water entry is high, physical barriers may be necessary, e.g. fencing. However, this option needs careful consideration. Whilst discouraging access is a safety control measure, there should be a focus on ensuring someone can easily get out of the water in the event they enter the water (intentionally or accidentally). The Council prioritises clear demarcation of a water body to prevent accidental entry but recognises it is not necessarily always practical or feasible to physically prevent deliberate access.

Where the risk of falling into deeper water is considered high, it is suggested that a gentle underwater gradient from the edge is maintained where possible. The shallow water should allow for protection from the deep water. As an alternative to grading where a steep gradient or shallow gradient (swimming temptation) exists, the planting of vegetation on banks can act as a deterrent.

6.2.4 Rescue equipment

Rescue equipment can reduce the consequence of accidental or unauthorised access into the water but is only useful as part of a drowning prevention strategy and not a key risk control measure in itself. The provision of public rescue equipment will be identified through the risk assessment process.

Life buoys are often seen by members of the public as a key element in lifesaving. However, they are difficult to use over a distance, rather they invariably serve as a visual reminder of the hazards associated with open water. It is recognised that despite their role in rescue attempts and as a warning reminder, life buoys are also subject to repeated vandalism and misuse.

Life buoys are intended to be dropped into the water from a height or thrown a short distance to a casualty who is in the water. In severe winter conditions, the water surface on most lakes and ponds freezes. These conditions significantly reduce the value of life buoys as rescue devices. In determining the provision of life buoys, particular attention is paid to locations where there have been previous incidents. Where lifebuoys are provided, they are subject to regular inspection and maintenance.

As an alternative, throw lines can be considered. Throw lines are designed to be thrown on the same level e.g. from a bank and reduce the risk of injury when thrown compared to life buoys.

6.2.5 Water quality

If there is any suspected problem with water quality (discolouration, malodour), or reports of blue-green algae or invasive species, this should be reported to the Environment Agency for investigation, and possible treatment or mitigation. It is possible additional signage may be required warning of the hazards.

6.2.6 Infrastructure around water bodies

The Council will continue to examine records of incidents associated with infrastructure around water bodies, particularly misuse or unauthorised access. This can identify trends and any deficiencies

can be addressed. For example, restricting access to or giving warning of areas considered unsafe, such as weirs and spillways that are known to be misused.

Rope swings over water will be removed, when safe to do so. Tree boughs/branches that overhang waters and are known to be used by children may be removed at the discretion of the Council.

The Council will inspect and maintain any fencing that is damaged or missing, particularly where this serves a protective or risk management function.

Footpaths are inspected for trip hazards and remedial action is undertaken in accordance with intervention level criteria for repairs (as per car park inspections, > 40mm depth of defect).

Where possible, pathways should be defined away from the water edge to create a distance of vegetation between the two. Where desire lines close to the waters edge have become apparent, these should be discouraged through the introduction of planting schemes.

6.2.7 Supervision

Full time supervision is deemed to be neither reasonably practicable nor the most effective response to a water hazard. During summer months, staff working at larger sites with areas of open water will have special regard to any open water activities taking place. In certain circumstances and when staffing levels and duties permit, Council staff may take a proactive role in preventing access to areas of open water for unauthorised activities such as swimming.

6.2.8 Trees around water bodies

The Council has a Tree Policy which covers risk management and intervention criteria where trees are deemed to be unsafe.

6.2.9 Water safety promotion

The Council will support water safety campaigns to raise awareness of the risks when visiting open water bodies. This will include the use of the Council website and social media to communicate key water safety messages, seasonal water safety risks and any specific site/location information. Staff involved in the management of open water bodies will routinely review information published by ROSPA and the National Water Safety Forum, in addition to working with local partner agencies e.g. Fire and Rescue service as appropriate.

6.3 Recording and Implementation

Site specific risk assessments are recorded on the Harriet risk assessment system and include a copy of the inspection frequency assessment (see section 7 below). Council employees have access to Harriet via the online portal, where all risk assessments are available in a read only format. Employees with responsibility for completing and reviewing risk assessments have editor permissions. Harriet is available to view on handheld, mobile electronic devices allocated to Chorley Council employees.

As noted in section 5, Roles and Responsibilities, the Head of Service has overall responsibility for the implementation of the risk assessment findings with duties delegated to the Team Leader, Supervisor and Rangers.

6.4 Review

Risk assessments are reviewed annually, after an incident, accident or near miss, as a result of any alteration to working practices or if the features of the water body undergo any notable changes.

The Harriet risk assessment system is set up to provide automated prompts to the risk assessment 'owner' to ensure the annual review is completed in a timely manner. All review activity is recorded within the system, the audit log feature provides a history of the changes to the risk assessment including when risk assessments have been viewed.

The annual risk assessment review will be undertaken in conjunction with a scheduled site inspection.

7. INSPECTION AND MAINTENANCE

Key to successful risk management is a robust inspection and maintenance schedule. Chorley Council use the Alloy system to plot, manage, inspect, and maintain assets across the Borough, including water bodies.

7.1 Inspection

To determine inspection frequency, each site has been categorised as low, medium, or high risk. An inspection frequency assessment is completed by the Ranger team who are also responsible for undertaking on-going inspections and maintenance. The findings of the inspection frequency assessment are added to the control measures within each site-specific risk assessment completed on Harriet. A copy of the inspection frequency assessment is also attached to the risk assessment.

Categorisation of each site is determined as follows:

Risk Category	Typical features	Inspection frequency
High Risk	Water bodies regularly and intensively used/visited; immediate access to water's edge; larger water bodies	52 times per year
Medium Risk	Other water bodies in regular but not intensive use/visits; some paths near water's edge	12 times per year
Low Risk	Typically, smaller ponds away from footpaths or only lightly visited; may be enclosed by fence/barrier	2 to 4 times per year (include seasonal variation)

The inspection frequency assessment is also influenced by the features listed below, each of which is given a score between 1 and 5, 1 being very low risk, 5 high risk. The scores for each feature are added together and the total equates to the overall risk rating.

1. Lit / borrowed light
2. Antisocial behaviour / drinking / drugs / unauthorised access / swimming / ice skating / incident history
3. Demarcation of edge / physical barriers
4. Depth / area / size / water quality
5. Attractions / weir / rafts / fountain
6. Signage adequate
7. Lifesaving equipment
8. Evidence of water safety promotion amongst the local community
9. Intentional access / authorised use at site / canoeing / open water swimming / fishing

SCORE	RISK RATING
<20	Low risk
20 - 30	Medium risk

>30	High risk

Inspection frequencies will be adjusted in the event of notable changes to a site identified during routine site inspections and annual risk assessment reviews or in the event of incidents, anti-social behaviour, or public/staff concern. If the Council is notified of an incident at any of its water bodies an inspection to check for defects will be made within 24 hours of the initial report.

Where the Council become responsible for new sites, they will be assessed using the inspection frequency assessment template after which, all on-going site risk management will be recorded, monitored, and reviewed using the site-specific risk assessment completed on Harriet.

Inspections are completed electronically by the Ranger team using handheld, mobile devices linking them into the Alloy asset management system. Reports generated in Alloy are 'tethered' to the asset thus providing a comprehensive history of inspection and maintenance for each water body. Any defects, concerns or required improvements reported by the Ranger generates a workflow within Alloy and a record of the remedial actions. The inspection reports on the following features:

1. Rescue equipment is present and suitable for use
2. Condition of water, visual check of water quality and hazards
3. Condition of banks and edges
4. Condition of infrastructure including raft, weir, jetty, fence, wall, bench
5. Condition of footpaths and trip hazards or erosion
6. Condition of trees and vegetation
7. Any other notable hazards or defects
8. Any evidence of unauthorised entry or use of water

The Council have responsibility for a small number of water bodies classified as reservoirs. Reservoirs are subject to supervision and inspection in line with the Reservoirs Act 1975. The Council will therefore appoint a civil engineer, also known as a panel engineer, to undertake the required supervision observations and inspections.

Supervising (panel) engineers complete an annual observation statement which is submitted to the Council and may include recommendations such as grass cutting and general maintenance. Inspection (panel) engineers are appointed at a frequency of not less than 10 years, they will:

- Produce a report and certificate of their inspection.
- Identify any safety measures that need to be carried out and set a deadline.
- Certify that recommended safety measures have been carried out.

The Council must complete any safety measures identified by the inspecting engineer within a set deadline. Supervision observation statements and inspection reports will be reviewed by the Property Services Manager and any recommended remedial actions completed and recorded.

It is also a legal requirement for the Council to prepare a reservoir flood plan and flood map, this will include the appointment of a supervising engineer to aid with the preparation of the plan.

7.2 Maintenance

Defects reported during routine inspection and scheduled maintenance are recorded and tracked on Alloy. Repairs and maintenance will typically be undertaken by the Ranger team and, where possible, as part of the scheduled maintenance and improvement programme. As required, the

Council will appoint relevant contractors to complete works which cannot be addressed by the Ranger team. Reactive requests and ad hoc repairs will be assessed according to the defect category (see table below) and remedied accordingly. Emergency 24-hour defects will be repaired by the Ranger team, an approved contractor or alternatively the area made safe. Details of reactive or ad hoc repairs will also be recorded on Alloy.

Defects fall into three repair categories:

Category 1	Safety defect within 1 working day	Defined as a significant risk to public safety; urgent action required. Emergency 24hr defects will be repaired by the internal workforce, contractor or alternatively the area made safe.
Category 2	Maintenance defect within 7 days	Defined as unacceptable risk to public safety; considered a priority but non-urgent repair.
Category 3	Maintenance defect within 1 month	Defined as acceptable risk to public safety but requires some attention/repair.
Condition Defect	Condition defect to be monitored	Defined as acceptable risk to public safety. No repairs required but condition should be monitored closely upon routine inspection.

9. TRAINING

All Council employees receive information, instruction and training specific to their role. Rangers undertaking inspections and supporting with the completion of risk assessments, will undertake relevant training recommended or delivered by the Health and Safety Advisor. Rangers will also accompany the supervising and inspecting engineers during the completion of the annual supervision visit and the less frequent inspections, in order to increase or refresh their knowledge.

Training needs will be regularly reviewed, and refresher training completed at a frequency determined by awarding bodies or best practice. Training records are held on the Learning Hub, line managers are responsible for ensuring training for their team members is completed in a timely manner.

10. MONITORING

This policy is subject to annual review and on-going monitoring by the Head of Service responsible for the management of water bodies, as defined in section 2 of this policy.

Site inspections and associated remedial works completed on Alloy will be monitored by the Team Leader and Head of Service using the Alloy reporting function. Monitoring will include:

- Inspections are completed at the frequency defined by the inspection frequency assessment.
- Evidence of remedial works completed within the determined timescales or as part of the scheduled maintenance programme.
- Any observations or safety recommendations made as part of the reservoir supervisory visits or inspections are completed within the allocated timescales.

Risk assessments completed on Harriet will be subject to an annual review by the risk assessment 'owner'. The Head of Service will monitor completion of the annual reviews using the Harriet reporting function. The Health and Safety Advisor will be responsible for monitoring the general use of the Harriet system which will include producing reports for the Senior Leadership Team (SLT) on the status of complete and incomplete risk assessment reviews.

11. FURTHER GUIDANCE

Use the links below for further guidance and information.

[HSE: Information about health and safety at work](#)

[Reservoirs: owner and operator requirements - GOV.UK \(www.gov.uk\)](#)

[Report an environmental incident - GOV.UK \(www.gov.uk\)](#)

[Water safety - RoSPA](#)

[Home | National Water Safety Forum](#)