
5. PLAYGROUNDS

5.2. Location/Fencing/Supervision

53. Checklist Reference

**LEGISLATIVE
REFERENCE 22**

22. Every operator of a day nursery shall ensure that each playground in each day nursery operated by the operator,
- (a) is at ground level and adjacent to the premises unless otherwise approved by a Director;
 - (b) used by children under 44 months of age as of August 31 of the year, is fenced to a minimum height of 1.2 metres and the fence is furnished with one or more gates that are securely closed at all times;
 - (b.1) used by children 44 months of age and up to an including 67 month of age as of August 31 of the year, is fenced to a minimum height of 1.2 metres and the fence is furnished with one or more gates that are securely closed at all times, unless otherwise approved by the Director; and
 - (c) is so designed that the staff can maintain constant supervision of the children.

INTENT

- 22(a) This provision is intended to ensure the safety of the children. Playgrounds adjacent to the building facilitate access to first-aid, telephones, washroom facilities, shelter and flexible indoor-outdoor programming.
- (b) This provision ensures the safety of the children and ease of supervision for staff by preventing young children from wandering into unrecognized hazards.

INTENT
(cont'd)

(b.1) This provision includes Director discretion to allow approval of playgrounds without fences for junior and senior kindergarten age children (44 months of age up to and including 67 months of age as of August 31 of the year). Director discretion may be exercised on a site by site basis, upon the licensing inspection of the playground. The ministry will assess the playground to determine if the children can be adequately supervised without a playground fence or gate.

Considerations for fence exemptions may include:

- whether the day nursery is located at a school and the children use the same playground while attending school
- whether there is a perimeter fence around the site
- traffic patterns and proximity to roads and parking areas
- supervision plan (detailed plan on how the operator will provide for child safety and supervision)
- whether the day nursery has exclusive use of the playground during hours of operation
- whether there is director approval for 20% of younger children (e.g., mixed age grouping).

(c) This provision ensures the general safety of the children while they are outdoors and allows the staff to fulfill their responsibility.

INDICATORS**Indicator Type:** Documentation

1. There is approval by a Director exempting the playground from being at ground level and adjacent to the premises.
2. There is approval by a Director exempting the playground from having a fence for children 44 months of age up to and including 67 months of age as of August 31 of the year.
3. The playground supervision plan is reviewed and confirms it provides for child safety and supervision.

Indicator Type: Physical Inspection

1. The playground is observed to be at ground level and adjacent to the building (unless otherwise approved by a Director).
2. A fence, 1.2 metres (4 feet) high or more, which has one or more gates, surrounds the playground (except where there is Director approval exempting the playground from having a fence for children 44 months of age up to and including 67 months of age as of August 31 of the year).
3. The gates are observed to be kept securely closed at all times (except where there is Director approval exempting the playground from having a fence for children 44 months of age up to and including 67 months of age as of August 31 of the year).
4. The shape of the playground and the placement of equipment is observed to be such that staff can visually monitor children with ease.

**SPECIAL
INSTRUCTIONS**

The requirements of section 22 above must be met by half-day programs with a playground in use.

For further information regarding Playground Safety, please refer to the Playground Safety Policy in section 2.7.21.