

rmp

## Risk control

# The Ups and Downs of Trampoline Parks



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# The Ups and Downs of Trampoline Parks

## Introduction

Trampolines started to appear in the gardens of private houses within the UK around the turn of this century. Since that time, they have become incredibly commonplace, and the reasons why are understandable. The compact nature of the trampolines makes them an attractive proposition for all but the smallest of gardens. The relative success of British gymnastics at the Olympic Games London 2012 and subsequent Olympic Games may have captured the imagination of young people. Trampolines can provide a valuable outlet for children to exercise and burn energy either alone or with friends in relatively secure locations, reducing the risk of stranger danger, and possibly prolonging the life of sofa's and mattresses throughout the land.

Commercial trampoline parks are indoor facilities that usually contain wall-to-wall trampolines that are arranged to prevent users falling off on to hard surfaces or colliding. Padded or spring walls and floors are often used to reduce the risk of impact injuries.

However, despite safety precautions, adverse health events do happen. Sometimes these events are serious. ROSPA recognise that trampoline parks 'can be high-risk environments, and it is impossible to completely remove this risk'<sup>1</sup>.

The dangers associated with trampoline parks, along with the need for robust safety management in these facilities, was recently featured across national media outlets after two people who ran a trampoline park were successfully prosecuted after 270 people were injured while using their facility, including 11 people who broke their backs<sup>2</sup>.

## Overview

### Who is at risk?

A study in 2022<sup>3</sup>, which looked at the dangers of both home trampolines and trampoline parks, found that trampolines were responsible for half of accident and emergency admissions for children under the age of 14 in the UK.

The study identified 1,386,843 injuries across multiple countries and suggested that children who go to trampoline parks are more likely to be seriously injured than those who use trampolines at home.

The American Academy of Orthopaedic Surgeons<sup>4</sup> suggest that the high speeds and heights experienced by participants and the use of trampolines by multiple children simultaneously are primary risk factors. They go on to state that the most common injuries are sprains and fractures resulting from falls on the trampoline mat, frame, or springs; collisions with one or more jumpers; stunts gone wrong; and

falls off the trampoline onto the ground or other hard surfaces.

Attempting somersaults and flips was considered to be among the most common causes of serious spine injuries associated with trampoline use.

## Developments and Standards

To address concerns over the risks associated with trampoline parks, RoSPA, the International Association of Trampoline Parks (IATP) and the British Standards Institute developed and published 'PAS 5000:2017 Specification for the construction and operation of a fixed indoor trampoline park'<sup>5</sup>.

The PAS, withdrawn in December 2022, offered practical guidance for the construction of trampoline parks and the day-to-day operational and maintenance requirements.

'BS EN 13219<sup>6</sup> Gymnastic equipment. Trampolines. Functional and safety requirements, test methods' discusses gymnastic equipment and trampolines with a focus on functional and safety requirements, and test methods. It discusses functional requirements, safety requirements, free space under the bed, elastic properties, frame and suspension padding, storage and transport device, test methods, testing of padding, shock absorption testing, and rigidity testing.

## The Law

The duties under UK law for the majority of leisure facilities such as sports centres and swimming pools are the same for trampoline parks. One key difference between these facilities and a trampoline park is the inherent nature and level of voluntary risk that visitors accept when using them.

The main law governing health and safety at work in the UK is the **Health and Safety at Work etc Act 1974 (HSWA)**. This Act places general duties on employers, the self-employed, and people in control of premises to ensure, so far as is reasonably practicable, the health and safety of their employees and anyone else that may be harmed by work activities or the workplace, including customers.

**The Management of Health and Safety at Work Regulations 1999** complement and expand on the general HSWA duties mentioned above, requiring employers to carry out risk assessments and to have effective arrangements in place for managing health and safety and emergencies.

The **Occupiers' Liability Act 1957** should also be considered as it places a common law duty of care on persons in control of premises to 'take such care as in all the circumstances of the case is reasonable to see that the visitor will be reasonably safe in using the premises for the purposes for which he is invited or permitted by the occupier to be there.' It is important to note that this Act also states that 'an occupier must be prepared for children to be less careful than adults'. As an example, it may be that adults would take notice and act upon visible warning signs, but it shouldn't be assumed that children would do the same and so occupiers would need to take this into account when implementing safety standards. The **Occupiers' Liability Act 1984** extends the duties placed on occupiers to include some responsibility to protect uninvited visitors. Uninvited visitors could include people such as the emergency services or trespassers. It should not be assumed that all trespassers maintain criminal intent.

The **Corporate Manslaughter and Corporate Homicide Act 2007** increases the possibility for a corporation to be found guilty of homicide and manslaughter without the need to identify an individual within the organisation to prosecute. The offence of corporate homicide or manslaughter is related to the way in which senior managers organise the activities of the organisation.

Whilst prosecutors will need to establish that the criterion for a gross breach of duty of care has taken place, clearly there is scope for any organisation to be subject to the act including trampoline park operators.

Other acts and regulations which may be considered as relevant to trampoline parks include, but not exhaustively, the Manual Handling Operations Regulations 1992, the Health and Safety (First Aid) Regulations 1981, and the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013. In England and Wales, the Regulatory Reform (Fire Safety) Order 2005 governs fire safety in non-domestic premises whilst in Scotland this is addressed by The Fire Safety (Scotland) Regulations 2006 and other associated documents.

## Safety Management of Trampoline Parks

Legal duties are placed upon on a wide range of people according to their role in the design, installation and operation of trampoline parks. These include:

- **Designers, suppliers, manufacturers, installers and importers** have duties to ensure that the trampolines are safe when first supplied and installed, to carry out any necessary research and provide information about safe use, which is updated in accordance with experience.

- **Organisers** have overall control of the trampoline park, and have duties concerning safe layout and emergency procedures such as first-aid, dealing with medical emergencies and fire safety evacuations.
- **Controllers** own or otherwise have control of the trampoline park, and have a duty to maintain it in a safe condition, including such things as regular inspections and maintenance of the facilities in direct accordance with manufacturers' guidance and legal requirements.
- **Operators** are in immediate charge of the trampoline park and have a duty to operate it safely. This includes ensuring that strict user safety guidelines are developed, clearly communicated to employees and visitors and enforced at all times, and that equipment is used safely and in direct accordance with its design philosophy.
- **Attendants** help to operate the trampoline park, and have a duty to take reasonable care for their own and others' safety, and to follow instructions. They should ensure park users strictly adhere to user safety guidelines at all times, and are trained and competent in the application of emergency protocols such as first-aid, medical emergency response, and fire safety evacuations.
- **Inspection bodies** provide inspection and testing services. Where they are engaged by other duty holders to perform specific tasks, it should be established that the particular type of inspection and testing service required is one that body is registered and competent to perform.  
  
One duty common to all interested parties is the need to manage health and safety effectively. This includes planning and risk assessment. A range of risk assessments will be required. For example:
  - **Designers** need to: identify how the public or employees might be injured, including risks arising from the need to inspect and maintain the trampolines and associated equipment, as well as from its use as an attraction and emergency situations; determine possible effects of 'foreseeable misuse' by the public, controllers or operators.
  - **Manufacturers** need to: identify the risks to their employees and others during the manufacturing process.
  - **Installers** need to: identify the risks to their employees and others during the installation process, such as risks from working at height, manual handling, electricity etc.
  - **Organisers** need to: assess site risks, for example, access, transport, limitations of space, – produce a site layout which will minimise the risks; identify any planning, equipment, information and training needed to deal with emergencies.
  - **Controllers** need to: assess the risks from assembling, maintaining and using the attraction.

In some cases the duties will overlap, for example, if one party designs, manufactures, and installs components of the trampoline park, or another party is regarded as the organiser, controller and operator. If this is the case, duty holders need to:

- identify any control measures, precautions, information, instructions and training needed to make sure that all jobs and activities are undertaken safely
- review their risk assessment, where relevant, in the case of changes in design, manufacturing process, modifications, operating conditions, operational experience etc.

## Conclusion

In many cases the use of trampolines should be considered as an extreme sport and managed as such.

Caution clearly needs to be demonstrated when selecting an appropriate trampoline park to utilise.

As a bare minimum, organisations and individuals are encouraged to select for use only trampoline parks who maintain membership of the International Association of Trampoline Parks (IATP).

Membership of the IATP does not imply that a trampoline park is without risk. Risk is inherent within many of the sporting activities available within such facilities. But membership of the IATP does suggest that the owners and organisers of the trampoline park take risk management seriously and have adhered to the principles of the British Standard within their facilities. By doing so, the risks associated with using trampoline parks will not be eliminated, but they may be more controlled.

Additional risk factors to be considered prior to use include:

- Does the park provide a safety briefing which includes:
  - Manoeuvres and actions not permitted?
  - Hazards within the jumping area?
  - Risks inherent within the park?
  - First aid and emergency arrangements / procedures?
- Are rules clearly displayed and strictly enforced?
- Are there adequate levels of trained supervisors available at all times?

## References

1 ROSPA, What to look out for at trampoline parks, available here: <https://www.rospa.com/lets-talk-about/2018/march/what-to-look-out-for-at-trampoline-parks>

2 BBC, Pair fined after 11 customers broke backs at Flip Out trampoline park, available here: <https://www.bbc.co.uk/news/uk-england-merseyside-68413278>

3 Daily Record, Urgent warning over danger of trampoline parks for kids after surge in A&E admissions, available here: <https://www.dailyrecord.co.uk/lifestyle/health-fitness/trampoline-parks-warning-children-injuries-27234618>

4 The American Academy of Orthopaedic Surgeons, Trampolines and Trampoline Safety, available here: <https://www.aaos.org/contentassets/1cd7f41417ec4dd4b5c4c48532183b96/1135---trampolines-and-trampoline-safety.pdf>

5 BSI, PAS 5000:2017, Specification for the construction and operation of a fixed indoor trampoline park (withdrawn), available here: <https://knowledge.bsigroup.com/products/specification-for-the-construction-and-operation-of-a-fixed-indoor-trampoline-park/standard>

6 BS EN 13219:2008 Gymnastic equipment. Trampolines. Functional and safety requirements, test methods, available here: <https://knowledge.bsigroup.com/products/gymnastic-equipment-trampolines-functional-and-safety-requirements-test-methods?version=standard>

## Legislation

- 1 [The Health and Safety at Work etc Act 1974](#)
- 2 [The Management of Health and Safety at Work Regulations 1999](#)
- 3 [The Occupiers' Liability Act 1957](#)
- 4 [The Occupiers' Liability Act 1984](#)
- 5 [The Corporate Manslaughter and Corporate Homicide Act 2007](#)
- 6 [The Manual Handling Operations Regulations 1992](#)
- 7 [The Health and Safety \(First Aid\) Regulations 1981](#)
- 8 [The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013](#)
- 9 [The Regulatory Reform \(Fire Safety\) Order 2005](#)
- 10 [The Fire Safety \(Scotland\) Regulations 2006](#)

## Further information

For access to further RMP Resources you may find helpful in reducing your organisation's cost of risk, please access the RMP Resources or RMP Articles pages on our website. To join the debate follow us on our LinkedIn page.

## Get in touch

For more information, please contact your broker, RMP risk control consultant or account director.

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