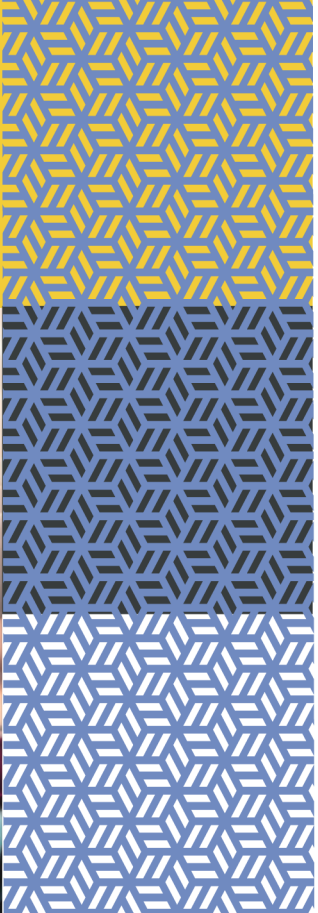


rmp

**Risk control**  
Local Authority Gyms



In partnership with



# Local Authority Gyms

## Introduction

Gyms and leisure centres play a vital role in promoting both physical and mental well-being for the individuals using them as well as providing recreational opportunities for the wider communities<sup>1</sup>.

Local Authorities are increasingly under financial pressure due to reduced funding, cost inflation, and increasing service demands. Many Local Authorities are striving to maintain services and assets while reducing operational costs.

Many Authorities are having to look at potentially reducing non-statutory services in order to deliver statutory services and deliver balanced budgets<sup>2</sup>.

As the provision of leisure facilities and gyms are not statutory requirements, these assets are under considerable pressure to revise the way that they operate and create sustainable business plans for the future, or face closure.

Unsupervised gyms are appearing throughout city centres and retail parks across the UK. These facilities offer customers low-cost fitness opportunities which patrons can access 24 hours a day, 7 days a week. The business model is very different to that of a traditional Local Authority leisure centre or gym which usually maintains significant staffing levels.

Leisure centres and gym operators have specific legal responsibilities that are set out under various Acts and Regulations to ensure the safe and efficient operation of these facilities. This guidance note will explore some of the most commonly reported accident causes and the legal requirements and responsibilities that Local Authorities in the UK maintain when operating gyms.

## Health and Safety Regulations:

The health and safety of gym and leisure centre users is of paramount importance. The Management of Health and Safety at Work Regulations 1999<sup>3</sup> requires employers to make a suitable and sufficient assessment of the health and safety risks. Depending on the activity's, classes and the people partaking in the activities, the level of detail and complexity of a risk assessment will vary. By carrying out risk assessments, it will allow the Local Authority to ensure that they can provide a suitable and safe environment for both the staff and patrons using the facilities.

There are a number of other regulations that Local Authorities should be aware of and should adhere to including the Occupiers Liability Act 1957<sup>4</sup> and 1984<sup>5</sup>.

## Common Accident Factors

### Falling Objects

Gyms usually maintain an abundance of equipment, most of which is heavy by design. When incorrectly stacked or stored equipment and weights can fall. Weights (bar plates) can be racked incorrectly on Squat or Smith machines and fall off when people have walked past or when individuals have been using weight benches, causing injury's ranging from bumps and bruises to fractures.

### Equipment Failure

Gym equipment, like all equipment, needs frequent inspection and maintenance. Cables, belts and pulleys do wear and should be inspected regularly for signs of damage. If defects are found, the equipment should be taken out of use and repaired by a competent person. A cable / belt snapping, or pulley failure when under load can potentially result in significant injuries.

### Contact with Sharp Edges

Gym equipment design and ergonomics have improved massively over the years. Many of the old steel box framework designs have been replaced with smooth plastic-coated surfaces which has reduced the number of manufactured sharp edges. However, from time to time, equipment wears or can become damaged, developing sharp edges.

Regular inspection and consideration to the placement of equipment can reduce the risk of damage through accidental contact with free weights or other equipment.

### Slips and Trips

People frequenting gyms can get hot and sweaty. To remain hydrated, individuals normally carry water bottles around the gyms with themselves.

Occasionally liquids do spill and floors / equipment can become contaminated. Depending on the type of flooring, equipment design, location of the spill or contamination and lighting levels, spillages can sometimes be difficult to see which can result in people slipping.

Slipping when carrying weights can result in significant injuries and therefore protocols should be in place to ensure any spillages are cleaned up as soon as possible to reduce the risk of an accident.

In most gyms the number of pieces of equipment is a key area when people are deciding if they are going to join. Cardio and resistance machines are large and bulky objects which take up a lot of floor space. This means that gyms can feel quite cramped and cluttered. It is therefore important to design gyms with safe access and egress in mind for both the abled and disabled gym user.

Consideration should be given to the flow of patrons around the gym. The positioning of equipment can create areas which logically work together and produce a natural flow for the clients as they go through a workout program.

It is important to keep walkways free of clutter. Providing labelled suitable storage facilities for free weights and other handheld equipment close to the areas of intended use will reduce the risk of equipment being discarded in walkways or around high footfall areas.

### **Strains and Sprains**

Customers using the gym can occasionally experience strains and sprains, either by not warming up correctly, incorrect lifting technique or by trying to lift too much weight. The best way for gym users to avoid strains and sprains is to follow a bespoke progressive workout program, designed by a competent person who has knowledge of the individual's goals, their capability and any medical history that is relevant. The current trend for staff-free gyms and optional inductions increases the risk of injury to the gym user and creates the increased probability of civil claims and litigation for gym owners.

### **Inappropriate Use of Equipment**

One of the benefits of having staffed gyms is that the Local Authority can ensure that they can provide suitable instruction and guidance to gym users and ensure that the equipment is being used correctly. Clients found to be misusing equipment can be quickly identified and provided with information and guidance by staff on the correct and safe use of the equipment.

The provision of information to clients and gym users is dependent on the level of competency of the staff. Local Authorities can require different standards, qualifications and certification depending on the level of responsibility of the staff members and the complexities of the equipment and patrons using the gyms. This is done to ensure that fitness professionals possess the necessary skills and knowledge to provide safe and effective services. For example, personal trainers may be required to hold recognised fitness certifications.

Local Authorities may also mandate ongoing training and professional development for gym staff to stay up to date with industry best practices. Compliance with these requirements is essential to ensure the well-being of the gym users.

### **Young People**

Young people from 11-15 years old are often encouraged to use gyms. Some gyms offer specific low-rate concessions to encourage healthy living habits in young people. Due to the age of the users, additional supervision and staff presence

should be considered to ensure the safety of the young gym users and the safe use of equipment.

### **Inductions and Medical Declarations**

It is good practice to require patrons to undergo an induction when joining a gym with a qualified member of staff. The induction process should provide the new gym user with guidance on how to safely use the facility and equipment.

Qualified gym staff can, if required, produce bespoke fitness programmes for the patrons. These programs should take into consideration information provided on medical declarations such as underlying medical conditions, injuries or previous surgeries as well as the client's age and the individual's goals. By maintaining a staff presence in the gym and providing clients with instruction on the safe use of equipment, unsafe use of equipment and guidance on safe lifting techniques can be provided to patrons to prevent injuries and increase safety.

### **Noise and Nuisance Control**

Gyms and leisure centres can generate noise and disturbances that may impact neighbouring properties. Local Authorities may have to investigate noise complaints generated by music or the amplified voice of instructors running classes. Noise levels should be monitored and adjusted accordingly if complaints are received to minimise disturbances in the immediate area.

### **First Aid and Emergency Procedures**

Maintaining adequate provisions for first aid in gyms is an obvious consideration due to the nature of exercise and physical excursion. The levels of first aid provisions should be identified through an assessment of needs as stipulated within the First Aid Regulations 1981<sup>6</sup>.

Whilst the 1981 Regulations do not place a legal duty on employers to make first-aid provision for non-employees, the Health and Safety Executive strongly recommends that non-employees are included in an assessment of first aid needs and that provision is made for them.

The Local Authority should have suitable emergency action plans in place which cover areas such as fire, bomb threats and medical incidents. Suitable arrangements and protocols should be drawn up and training provided to staff.

In facilities which are open in the absence of staff, consideration must be given to how patrons will be able to summon help in an emergency.

## Key Points

- Risk assessments should cover hazards such as fire, bomb threats and medical emergency's as well as instruction of safe use of equipment to clients
  - Falling objects, gyms should have clearly marked areas for storing weights and gym equipment - Staff should patrol areas to ensure that weights and equipment are stored correctly
  - Gym equipment should be visually inspected regularly by staff for defects such as visual fraying of belts, cracks to pulleys and welds as well as damage which can result in sharp edges. Any equipment found to be defective should be marked as out of use and repaired or replaced as soon as practicable. Formal inspections of gym equipment should be carried out in accordance with the manufactures instruction. Inspection records should be held for a minimum of 3 years
  - Spillages and floor contamination should be cleared up as soon as possible to minimise the risk of reoccurrence and injury to gym users. Walkways and high footfall areas should be kept clear of gym equipment
  - All gym users should be given instruction on the safe use of equipment during a gym induction. Medical declarations should be reviewed annually
  - It is good practice to maintain staffing levels in gyms to ensure that clients are kept safe, and any issues can be quickly addressed. It is advisable to increase basic staffing levels when younger persons are using the gym. This increased presence will ensure the correct use of equipment and minimise the risk of injuries
4. [Occupiers' Liability Act 1957 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1957/1)
  5. [Occupiers' Liability Act 1984 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1984/1)
  6. <https://www.legislation.gov.uk/uksi/1981/917/made>

## Conclusion

Local authorities in the UK have significant legal responsibilities when it comes to running gyms. These responsibilities include providing a safe environment for visitors, ensuring staff have suitable qualifications and training, emergency preparedness and addressing noise and nuisance concerns. Compliance with these legal requirements is essential for the smooth and safe operation of gyms and leisure centres.

## References

1. [Three-quarters of gym-goers report boost in mental health, report says | Health | The Guardian](#)
2. [Autumn Statement 2023: LGA submission | Local Government Association](#)
3. [The Management of Health and Safety at Work Regulations 1999 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1999/1)

## 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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