



Water Safety Policy

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Owner: Ranger Service/Environment & Visitor Services

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1. Introduction

- 1.1. The Health and Safety at Work etc. Act 1974 places a statutory obligation on Loch Lomond and The Trossachs National Park Authority (us/we/the Park) to conduct our undertaking and use our premises in such a way as to ensure the health, safety and welfare of employees and non-employees, so far as reasonably practicable.
- 1.2. The Management of Health and Safety at Work Regulations place an obligation on us to carry out suitable and sufficient assessments of all health and safety risks encountered by anyone who may be affected by our undertakings. We accept that some of our operations may create risks to employees, and other persons not in our employment, and we aim to take all reasonably practicable measures to eliminate or reduce these risks to as low a level as is reasonably practicable.
- 1.3. As an owner and manager of land, we have a duty under the Occupiers' Liability (Scotland) Act 1960 to take reasonable care to ensure that persons do not suffer injury or damage whilst on land owned or managed by us.
- 1.4. The majority of land (including inland waters) which forms part of the National Park is owned by third party landowners. As such, the main responsibility for ensuring the controls for water safety lies with the owner of the property.
- 1.5. We have a duty to uphold the right of responsible access to most land and inland water under the Land Reform (Scotland) Act 2003. The 2003 Act gives us certain powers (but no obligation) to take such steps as we deem appropriate to warn the public of, and protect the public from, danger on any land and inland water in respect of which access rights are exercisable, including land and inland water owned or managed by third parties.
- 1.6. The 2003 Act and accompanying statutory guidance place the responsibility for personal safety largely on the individual. Part 3 of the [Scottish Outdoor Access Code](#) provides that those exercising access rights are responsible for their actions and the safety of themselves and those for whom they are responsible and that they shall exercise their access rights responsibly and in accordance with the Code.
- 1.7. The Nature Conservation (Scotland) Act 2004 places a duty on us to further the conservation of biodiversity which implies that water environments should be managed for wildlife as well as for public benefit.
- 1.8. This policy sets out how we will identify and manage risks relevant to water safety that may affect the health and safety of employees and people affected by National Park Authority operations on the Park Authority Estate.
- 1.9. This policy should be read in conjunction with, the [National Park Management System – All Vessels](#) document, which is our management system relative to water based activities.

2. Definitions

For the purpose of this policy the following definitions apply:

- 2.1. **“Bodies of Water”**: All freshwater lochs and one lake, the sea lochs down to mean low water springs, and all rivers, burns and streams within the boundaries of the National Park.
- 2.2. **“National Park operations”**: any piece of work or task carried out by National Park Authority employees.
- 2.3. **“Park Authority Estate/Our Estate”**: means property assets which are owned, leased or otherwise formally managed (under the terms of a legally binding agreement) by the National Park Authority.
- 2.4. **“Reasonably practicable”**: a balance between the risk and the cost of preventative measures in time, money, and effort i.e., it would not be reasonably practicable to invest substantial amounts of time and money where the risk and injury level are very low, but it would be reasonably practicable to introduce all measures possible where the risk is high, and the possible results are death or major injury.
- 2.5. **“Site and Visitor Risk Assessment”**: a risk assessment relative to a specific site or area within the National Park, which could affect anyone using the Park, including visitors.
- 2.6. **“the 2003 Act”**: means the Land Reform (Scotland) Act 2003.

3. Statement Of Intent

- 3.1. The aim of this policy is to ensure that the chance of people becoming injured or ill in Bodies of Water accessed from the Park Authority Estate is reduced so far as reasonably practicable.
- 3.2. We will carry out suitable and sufficient Site and Visitor Risk Assessments at all sites which form part of Our Estate where there are Bodies of Water.
- 3.3. We will work with landowners, where possible and practical to do so, to co-ordinate our approach to water safety across the National Park.
- 3.4. We will use reasonable endeavours to keep up to date with industry practice, including Royal Society for the Prevention of Accidents (RoSPA) guidance - [RoSPA-Advice and Information](#) and Scotland's Drowning Prevention Strategy (link: <https://watersafetyscotland.org.uk/media/1213/scotlands-drowning-prevention-strategy.pdf>)
- 3.5. We will provide appropriate information and instruction, ensuring employees are given adequate training and supervision to enable them to carry out their work safely and competently.

- 3.6. We will use reasonable endeavours to provide and update information relative to water safety on our website. We aim to provide water safety advice in line with best practice and links to further information, and where possible highlight particular high-risk events and times.

4. Roles and Responsibilities

4.1. Ranger Service Manager and Estates Manager

- 4.1.1 Ensure that suitable and sufficient Site and Visitor Risk Assessments are carried out by competent persons on all sites which form part of Our Estate.
- 4.1.2 Ensure that site inspections are carried out of all areas under their control within the time frames established in the Site and Visitor Risk Assessment.
- 4.1.3 Ensure that they are familiar and up to date with guidance, including RoSPA Water Safety Guidance, and pass on this guidance as appropriate to Ranger Team Leaders and Land Operations Manager.
- 4.1.4 Budget will be prioritised where possible to make available the resources necessary to implement the policy.

4.2. Ranger Service and Estates Team

- 4.2.1. Use reasonable endeavours to inspect all Rescue Protection Equipment and signage on Our Estate once a week between April and October and fortnightly between November and March.
- 4.2.2. Record any defects and replace with functional Public Rescue Equipment and/or signage where appropriate on Our Estate.

4.3. Master (Person In Charge Of our Vessels)

- 4.3.1. Be responsible for health and safety on the vessel.
- 4.3.2. Ensure that the [National Park Management System – All Vessels](#) is complied with and that all crew members are briefed, and their responsibilities are understood.

4.4. Health & Safety Adviser

- 4.4.1. Be a central point of contact for advice on health and safety issues across all activities.
- 4.4.2. Ensure that risk assessments are reviewed in accordance with the Risk Assessment Policy.
- 4.4.3. Ensure that they are familiar and up to date with guidance, including RoSPA Water Safety Guidance, and pass on this guidance as appropriate to Ranger Service Managers.

4.5. Employees and Volunteers

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- 4.5.1. Familiarise themselves with any risk assessments relevant to working next to water.
- 4.5.2. Undertake all training required of them, ensuring that this contributes to their overall competency required to carry out their roles and responsibilities.
- 4.5.3. Familiarise themselves with any relevant guidance, including RoSPA Water Safety Guidance.
- 4.5.4. Comply with the Park H&S policy. Take reasonable care for the health and safety of themselves and any other persons who may be affected by their acts or omissions at work.
- 4.5.5. Notify their manager of any work situation which they would reasonably consider represents a serious and immediate danger to health and safety.
- 4.5.6. Notify their manager of any shortcomings in protection arrangements for health and safety.

5. Risk Assessments

Suitable and sufficient risk assessments will be carried out in compliance with the Park's Risk Assessment Policy at all sites which form part of Our Estate. The majority of these sites are adjacent to water within the popular areas in the National Park. <https://parkcentral.lochlomond-trossachs.org/wp-content/uploads/2022/10/Risk-Assessment-Policy.pdf>

- 5.1. All risk assessments will be carried out by competent assessors - <https://parkcentral.lochlomond-trossachs.org/wp-content/uploads/2022/10/Risk-Assessment-Guidance.pdf>
- 5.2. Risk Assessments comprise of both Site and Visitor Risk Assessments, together with risk assessments relating to Boating and Shoreline Patrols along with any other maintenance-based tasks.

6. Safety Inspections

- 6.1. General site inspections of all sites which form part of Our Estate are carried out at regular intervals, in accordance with the RoSPA guidance.
- 6.2. Inspections will aim to monitor the conditions and any changes to the following:
 - Water Edge
 - Planting
 - Footpaths and Accessibility to water
 - Fencing and barriers
 - Signage
 - Public Rescue Equipment
 - Piers and Pontoons.
- 6.3. Safety inspections on Our Estate are recorded on internal Land Operations forms and retained on the internal Estates Database.

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- 6.4. Faults or defects observed by Rangers undertaking patrols at these sites are recorded and then reported to Estates using their fault reporting process for prioritisation and remedial action by Land Operations.
- 6.5. Camping Management Zone Permit site inspections undertaken by Ranger Service are recorded on in-house Survey123 mobile application.
- 6.6. When control measures have been identified and agreed they must be prioritised, placed into an action plan, and implemented. Where control measures have been implemented, they must be monitored and reviewed to ensure that they continue to be adequate and appropriate.

7. External Advice and External Consultation

- 7.1. From time to time, we may seek advice and discuss water safety issues with external bodies. This may include, but not be restricted to:
 - Discussions with, and audits carried out by, water safety experts such as RoSPA.
 - Participation on committees, such as Water Safety Scotland and Partnership Approach to Water Safety (PAWS) groups across the 3 main Local Authorities (Argyll and Bute, West Dunbartonshire, Stirling and Clackmannanshire) within the National Park.
- 7.2. Any suggested changes to our procedures as a result of such discussions will be carefully considered, although we will not commit to carrying out any recommendations unless deemed to be an improvement on our existing procedures, and reasonably practicable to do so.

8. Water Safety Signage

- 8.1. We will use reasonable endeavours to place and maintain water safety signage (identified water hazards e.g., deep water or steep drops) at locations on Our Estate where indicated by the Site and Visitor Risk Assessments, including:
 - At slipways and piers and pontoons (facilities for managed access to water).
 - Where deep and/or fast flowing water is adjacent to a public facility.
 - Where there are known and recurring incidents of entry to water.
- 8.2. We will use reasonable endeavours to place and maintain water safety signage only at main site entrances or key points identified by the Site and Visitor Risk Assessments. Signs should therefore be visible to most users whilst minimising the number of signs required, reducing clutter, and maintaining amenity.
- 8.3. We will consider removing water safety signage at locations where the hazard is obvious and the risk is low, for example at ponds, in line with the Site and Visitor Risk Assessments.

8.4. We aim to place temporary signs on behalf of the Local Authority when required at site locations to warn people of the risk of toxic water, e.g. Blue/Green Algae.

8.5. Internal guidance will be developed on where to place signs within sites aims to improve consistency of use of water safety signage on all sites and ensure most site users are made aware of the need to be careful around water.

9. Public Rescue Equipment

9.1. Public Rescue Equipment (PRE) comprises of throw lines and life rings.

9.2. We will place PRE at locations on Our Estate as identified by the relevant Site and Visitor Risk Assessments where:

- There are known and recurring instances of accidental or deliberate entry to the water.
- The equipment is visible.
- The equipment can be used effectively.
- The equipment can be regularly inspected and maintained.

9.3. PRE will not be used where:

- High falls are likely to be either fatal or cause serious injury, and the PRE would not be effective for rescue and/or could put rescuers at risk.
- Fast currents would also likely carry the casualty too quickly out of range of the public rescue equipment.

9.4. In addition, we will:

- Remove PRE which is repeatedly vandalised and consider relocation or replacement with water safety signage.
- Consider removal or relocation of existing PRE within sites with multiple PRE to ensure the most effective and sustainable placement of PRE.
- Aim to inspect all PRE once a week between April and October and fortnightly between November and March, record any defects and replace with functional PRE. This responsibility lies with Ranger Service and Estates teams.

9.5. We will include reflective emergency information signage on or near any PRE installations. Signs will include grid reference, what3words reference and details how to obtain assistance in the event of an emergency.

10. Edge Protection

10.1. The following design principles are followed as appropriate:

- Water safety is increased by routing paths and other well-used areas away from the water's edge, or by the potential provision of secure edges and/or

barriers where public facilities are adjacent to a water's edge. Any vegetation at or near the water's edge on the Park Authority Estate, is managed appropriately in order to either facilitate or dissuade access to the water's edge in order to facilitate water safety.

- Any physical edge protection controls required such as fencing would be identified as part of the Site and Visitor Risk Assessment process, or via other sources such as external audits.

11. Camping Management Zone Permit Areas

- 11.1. Camping permit areas which form part of Our Estate will be acted upon in line with this policy.
- 11.2. Camping permit areas which do not form part of Our Estate are the responsibility of the relevant landowner or land manager.
- 11.3. At our sole discretion, in some limited circumstances we might carry out Site and Visitor Risk Assessments and implement mitigation measures at camping permit areas that are not part of Our Estate. This will only take place where we know the landowner or land manager is not actively assessing and addressing water safety risks, and/or where we are aware of a history of water-safety related incidents.

12. Public Education

- 12.1. Where resources allow, we will provide water safety education to encourage people to behave responsibly and appropriately, primarily through the activities of Outdoor Learning and Engagement, local events and appropriate signage.
- 12.2. We will use reasonable endeavours to ensure that our website provides water safety advice, offers links to further information and where possible is used to highlight particular high-risk events and times.
- 12.3. Where resources allow, we will work with partners to promote a consistent approach to water safety.

<https://watersafetyscotland.org.uk/campaigns/>
<https://rnli.org/safety>
<https://www.rospace.com/about/around-the-uk/scotland>

13. Open Water Organised Activities and Events

- 13.1. Open water activities and events are organised by third parties.
- 13.2. Where necessary we will work with these third parties with regards to providing them information on water recreation, safe navigation and registration of vessels, and other relevant Park byelaws.

14. First Aid

- 14.1. First Aid provision is provided by us in accordance with the Health and Safety (First Aid) Regulations 1981. This primarily provides a statutory requirement to

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provide appropriate First Aid provision for employees. In addition to employees, first-aid provision must also be available to volunteers.

14.2. Reference should be made to the separate First Aid Policy. In addition, Boat team commercially endorsed skippers (MCA guidance) are provided with Royal Yachting Association (RYA) approved sea survival training.

14.3. All staff who work on or close to water are provided with throwline training.

15. Recording and Reporting of Accidents

15.1. Any incidents involving staff, or the public must be reported and recorded online in accordance with our procedures.

15.2. Reference should be made to the separate Accidents Reporting Policy, Form HS1.

15.3. In line with national guidance, any accidental fatality will go through Water Safety Scotland's voluntary Drowning and Incident Review (DIR) process where it is appropriate to do so. The Park is a member of Water Safety Scotland and the 3 local Partnership Approach to Water Safety groups and where resources allow agree to attend a DIR whether the location of the accident is land managed by the Park or a third party. The DIR aims to ensure a comprehensive review of each accidental water-related fatality in order to gather relevant data intelligence that may help to prevent future incidents.

15.4. Any significant boating related incidents occurring on water that forms part of the Park Authority Estate must be reported to the Maritime and Coastguard Agency in accordance with statutory requirements, and these may in turn be investigated by the Marine Accident Investigation Branch.

16. Policy review

16.1. This policy will be reviewed where a requirement to do so is identified as a result of any defect or deficiency being noted, or where there is a change to relevant legislation or related Park Authority policies or within three years, whichever is the earliest.

17. Equality and Diversity Impact Assessment

17.1. An initial screening process was carried out and no discriminatory effects were identified for any particular group within the workforce or for non-employees. This will be monitored on an on-going basis.

18. Best Value

18.1. This policy meets the use of resources and equalities aspects of best value by promoting and providing a healthy and productive work environment for all staff and ensuring equality of access to appropriate resources and support services to enable employees to meet their role requirements in accordance with our performance management system.

19. Document Controls

Prepared by	Leigh Hamilton / Brian Prout
Date effective from	November 2022
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Contact	HR / H&S

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Summary of changes	
Name	

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Approvals

This document requires the following signed approvals.

Name	NPA Executive Group
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