

10 October 2022



Kia ora 

Thank you for your request made under the Local Government Official Information and Meetings Act 1987 (the Act), received on 12 September 2022. You requested the following information:

- Provide the near-miss incident report form and investigation findings for an incident that happened at 3.30pm on Monday 12th September 2022, which involved a young patron who got stuck in the ramp and an adult (who was actively supervising) had to jump in into the pool.
- All information about this incident from the Council, the pool, and the SwimWell programme run (and endorsed) by the Council.

Wellington City Council has **granted** your request for information.

Please see below incident reports (items 1-4) regarding the incident at Keith Spry Pool on 12 September 2022 at 3.30pm. Please note that under the Act some information has been withheld under section 7(2)(a) to protect the privacy of natural persons.

The Council takes safety of Wellingtonian using our facilities seriously. It is important that staff, instructors, and parents/guardians play a role in keeping children safe while in the water. The Council has adopted a National Pool Alone Policy. It is recommended children under five are accompanied by a caregiver who is within arm's reach and in the water with them. It is the Lifeguards responsibility to ensure active supervision is taking place and provide emergency response and customer care when sports group/squads or Learn to Swim (LTS) sessions are in progress. Lifeguards need to be proactive and liaise with coaches, swimmers, LTS instructors and participants when needed as they can assist with rescues and treatment if required.

SwimWell has initiated discussion with their staff involved to determine what had occurred and to communicate with lifeguards for any issues or concerns. The Council's Operations Management team has discussed the scenario with our lifeguards and will continue to remind lifeguards that they remain attentive at ensuring active supervision with parents/guardians is occurring in line with our policy and ensure intervention is occurring proactively, if not being followed.

Below are the documents that fall in scope of your request and my decision to release the document.

Item	Document name/description	Decision
1.	Event Case Report 1299253	Release with redactions
2.	Event Case Report 1299248	Release with redactions

3.	Event Case Report 1299304	Release with redactions
4.	Event Case Report 1299318	Release with redactions
5.	Community Pools NOP - Pool Alone Pool Supervision Policy - Feb 2022	Release

With respect to the information that has been withheld, I do not consider there are any other factors which would render it desirable, in the public interest, to make the information available.

Right of review

If you are not satisfied with the Council's response, you may request the Office of the Ombudsman to investigate the Council's decision. Further information is available on the Ombudsman website, www.ombudsman.parliament.nz.

Thank you again for your request, and bringing this to our attention, if you have any questions, please feel free to contact me.

Kind regards

Asha Harry

Official Information

Incident and Investigation Report

General Incident Information

ID No:	1299253	Incident Date:	12 Sep 2022
Title of Incident:	3 yr old stuck in ramp - part 2		
Event Type:	Near Miss		
Site:	PSR Pools:Keith Spry	Incident Category:	Injury Illness
Location:	Teaching Pool	Main Contractor:	Unassigned
Reporting Line:	Keith Spry Operations 10689		

Details of the Incident

Details of Incident: Parent came to me (LG) very upset. She had witnessed another child asking for help. She was venting to me (LG) about how the interaction between herself and other instructors (Swimwell). Saying that when she went over to ask for help the instructors didn't help. Asking for help to grab a child, then asked for a pole as she was told it (wasn't their job) and turned their backs on her. Father of the child ended up getting in the water. Both her and the father were extremely upset as the child has previous anxiety around water. They were wanting to know what we where going to do about this so it doesn't happen again. I encouraged them to write and lay a complaint about what happened. She also wanted to have a chat with Supervisor, so I handed her over to Supervisor to take over.

Immediate action undertaken: After talking with the parents went and talked Supervisor

Hazard Source: Near, on, or in water **Key Person Involved:** Public **Other People Involved:** Parent bystander/family friend of child involved

Consequence Assessment

Actual Safety Consequence: **Consequence description:**

Risk Rating: **Potential Consequence:** **Likelihood of reoccurring:**

Environment

Sub Category:

Abatement Notice Issued: No

Issued Date:

Description of Impact:

Complainant Details:

Security

Sub Category:

External Regulation:

Internal Policy:

External Agency Notified:

Notification Date:

Vehicle

Sub Category:

Describe Vehicles/Public Involved:

Injury Details

Injured Person	Injury Type	Part of Body	Severity	Treatment

Investigation Details

Investigator:

Date Completed:

**Background/
Introduction:**

**Events leading
up to the
incident:**

**Full Incident
Description:**

**Post Incident
Response:**

**Investigation
Findings:**

Key Learnings:

**Other
Observations:**

**Summary of
Recommendations:**

Date Closed:

Signature:

Causation Analysis

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Category	Factor	Description

Corrective Action Details

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Action Title	Description	Date Due	Person responsible	Date Closed

Photos attached

Caption	Attached Photos
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Incident and Investigation Report

General Incident Information

ID No: 1299248		Incident Date: 12 Sep 2022	
Title of Incident:	3yr old stuck in ramp	Event Type:	Near Miss
Site:	PSR Pools:Keith Spry	Incident Category:	Injury Illness
Location:	Main Pool	Main Contractor:	Unassigned
Reporting Line:	Keith Spry Operations 10689		

Details of the Incident

Details of Incident: (LG) saw a child crying near the railing on main pool far side. Later saw adult yelling at (SW) from a far 'get my kid out of pool' which he responded that it wasn't my job. I (LG) went over and asked what had happened. So when I (LG) went over to this adult , she was gone but I (LG) talked to someone else. It seemed she had gotten upset with how he (SW) said 'it wasn't my job'. I (LG) let her know it was my responsibility not Swimwells. I informed Supervisor

Immediate action undertaken: Went over to try talk to the woman to find out what had happened
Informed Supervisor

Hazard Source:	Near, on, or in water	Key Person Involved:	Public	Other People Involved:	parent bystander/family friend of child Swimwell
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Consequence Assessment

Actual Safety Consequence:		Consequence description:	
Risk Rating:		Potential Consequence:	
		Likelihood of reoccurring:	

Environment

Sub Category:	
Abatement Notice Issued:	No
Issued Date:	
Description of Impact:	
Complainant Details:	

Security

Sub Category:	
External Regulation:	
Internal Policy:	
External Agency Notified:	
Notification Date:	

Vehicle

Sub Category:	
Describe Vehicles/Public Involved:	

Injury Details

Injured Person	Injury Type	Part of Body	Severity	Treatment

Investigation Details

Investigator: **Date Completed:**

Background/ Introduction:

Events leading up to the incident:

Full Incident Description:

Post Incident Response:

Investigation Findings:

Key Learnings:

Other Observations:

Summary of Recommendations:

Date Closed:

Signature:

Causation Analysis

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Category	Factor	Description

Corrective Action Details

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Action Title	Description	Date Due	Person responsible	Date Closed

Photos attached

Caption	Attached Photos
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Incident and Investigation Report

General Incident Information

ID No: 1299304		Incident Date: 12 Sep 2022	
Title of Incident:	Discussion of an incident	Event Type:	Incident
Site:	PSR Pools:Keith Spry	Incident Category:	Environment
Location:	Unassigned	Main Contractor:	Unassigned
Reporting Line:	WRAC Programmes 10676		

Details of the Incident

Details of Incident: Friend of father who was involved with an incident earlier in the afternoon wanted to talk to me about the incident witnessed, behaviour of staff etc.

Main complaint was SwimWell staff didn't try to help a child in distress and was told "not my job" . Being a water safety swim school where children are taught to call for help this was totally unacceptable. friend was very upset about the whole incident.

Immediate action undertaken: I let the friend keep talking to me and said we would take this incident very seriously and I would make sure my management team knew what had happened and there would be serious meetings taking place.

Let the instructor know this was serious and would be taken seriously and they would be having a meeting with management team.

Hazard Source:	Personal confrontation	Key Person Involved:	Public	Other People Involved:	Friend of family who was involved with a previous incident
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Consequence Assessment

Actual Safety Consequence: 1. First aid injury/ debrief

Consequence description:

Risk Rating: 1. Low

Potential Consequence: 1. Minor (An event that requires a worker and/or other person to seek first aid and/or debrief)

Likelihood of reoccurring: 2. Unlikely (Event could occur in the next one to five years)

Environment

Sub Category:	Damage to the natural environment
Abatement Notice Issued:	No
Issued Date:	
Description of Impact:	
Complainant Details:	

Security

Sub Category:	
External Regulation:	
Internal Policy:	
External Agency Notified:	
Notification Date:	

Vehicle

Sub Category:	
Describe Vehicles/Public Involved:	

Injury Details

Injured Person	Injury Type	Part of Body	Severity	Treatment

Investigation Details

Investigator: **Date Completed:**

Background/ Introduction:

Events leading up to the incident:

Full Incident Description:

Post Incident Response:

Investigation Findings:

Key Learnings:

Other Observations:

Summary of Recommendations:

Date Closed:

Signature:

Causation Analysis

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Category	Factor	Description

Corrective Action Details

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Action Title	Description	Date Due	Person responsible	Date Closed

Photos attached

Caption	Attached Photos
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Incident and Investigation Report

General Incident Information

ID No: **1299318** Incident Date: **13 Sep 2022**

Title of Incident:	Discussion of an incident - the day after	Event Type:	Incident
Site:	PSR Pools:Keith Spry	Incident Category:	Injury Illness
Location:	SwimWell Office	Main Contractor:	Unassigned
Reporting Line:	KSP Programmes 10690		

Details of the Incident

Details of Incident: (MOP) came into the office to talk about an incident that had happened the afternoon before that she had witnessed. (MOP) had seen a father trying to grab his 3yr old daughter from the railings in the ramp section of the main pool after she became stuck. He was having trouble reaching her or getting the lifeguards attention. A family friend went over to the 3 SwimWell Instructors who were waiting poolside for classes to start at the deep end of pool. She asked them to help but was told "Not my job luv". This had caused the family friend to start yelling.

Immediate action undertaken: I thanked (MOP) for the information and got her details and let her know that we are taking this incident very seriously.
I spoke to my team leader as soon as possible to update about (MOP) witness to the incident. I had already given a brief before (MOP) came in.

Hazard Source: Personal confrontation **Key Person Involved:** Public **Other People Involved:** member of public

Consequence Assessment

Actual Safety Consequence: **1. First aid injury/ debrief** **Consequence description:**

Risk Rating: **1. Low** **Potential Consequence:** **1. Minor (An event that requires a worker and/or other person to seek first aid and/or debrief)** **Likelihood of reoccurring:** **2. Unlikely (Event could occur in the next one to five years)**

Environment

Sub Category:

Abatement Notice Issued: No

Issued Date:

Description of Impact:

Complainant Details:

Security

Sub Category:

External Regulation:

Internal Policy:

External Agency Notified:

Notification Date:

Vehicle

Sub Category:

Describe Vehicles/Public Involved:

Injury Details

Injured Person	Injury Type	Part of Body	Severity	Treatment
Public	Other	Foot - Left	3. Notifiable Event	no injury in this conversation

Investigation Details

Investigator:

Date Completed:

**Background/
Introduction:**

**Events leading
up to the
incident:**

**Full Incident
Description:**

**Post Incident
Response:**

**Investigation
Findings:**

Key Learnings:

**Other
Observations:**

**Summary of
Recommendations:**

Date Closed:

Signature:

Causation Analysis

.....

Category	Factor	Description

Corrective Action Details

.....

Action Title	Description	Date Due	Person responsible	Date Closed

Photos attached

Caption	Attached Photos
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Pool Alone Policy

When to use

Use this procedure to take care of unsupervised children in our facility.

Policy

All Wellington City Council Pools have adopted the national Pool Alone Policy.

Children under 5

We recommend children under 5 are accompanied by a caregiver who is within **arm's reach and in the water** with them.

Ratio: One Caregiver can supervise a maximum of two children under 5

Children under 8

All children under 8 must be **actively supervised** by a caregiver 16 or over

Active supervision means:

- Watching your child at all times and able to provide immediate help
- At a close distance where you and your child can see and hear each other

Ratio: One Caregiver can supervise a maximum of four children aged 5-8

A poster outlining the policy above should be displayed at the facility entrance at all times.

Reception staff must monitor to prevent unsupervised children entering and leaving the facility.

In instances where there is a suspicion of child abuse refer to your manager in line with the [Child Protection Standard](#) for guidelines and standards to follow.

Responsibility

- All Facility staff

Steps

In the event that a child under the age of 8 is found to be unaccompanied in our facility take the following steps:

1. Remove the child from the pool and establish:

If their caregiver ...	then ...
Is in the facility	Locate the caregiver and explain our child safety policy. Provide the caregiver with a child safety flyer.
Is not in the facility	See step 2.

2. Obtain contact details for the caregiver.

If caregiver ...	then ...
Contact details provided	See step 3.
Contact details not provided	Contact the Police and request intervention. Provide the Police with details of the facility's child safety policy and the procedures taken to contact the caregivers. See step 6.

3. Place the child in a safe, dry and supervised area. Do not remove the child from the facility.

If contact ...	then ...
Is made	Obtain the caregiver's details and require them to collect their child as soon as possible, reiterate their responsibilities and our child safety policy. See step 4.
Cannot be made	Contact the Police and request intervention. Provide the Police with details of the facility's child safety policy and the procedures taken to contact the caregivers. See step 6.

4. Wait for 30 minutes for caregiver to arrive:

If ...	then ...
Collection is within 30 minutes	See step 5.
Collection time is longer than 30 minutes	Contact the Police and request intervention. Provide the Police with details of the facility's child safety policy and the procedures taken to contact the caregiver. See step 6.

5. Ensure identification is sited before releasing the child to a caregiver. Do not allow unauthorised people to remove the child from the facility. Ensure the caregiver is provided with a flyer detailing our child safety policy to take away with them.

6. An Incident report must be completed as per the **Incident Reporting and Investigation Standard**.

Standards for Pool Supervision

Policy

The Duty Manager is responsible for ensuring that lifeguards comply with Pool Safe Supervision Standard and that lifeguards are located in high risk areas.

Each body of water open to the public or after-hours groups must be supervised by a lifeguard who holds a current Pool Lifeguard Practising Certificate (PLPC) and has completed an induction as a minimum. Staff without this qualification and/or who have not completed an induction must be accompanied by a qualified lifeguard and are not to be included in the supervision ratios. All lifeguards must be able to retrieve an object from the deepest part of the pool. Staff training is to be completed at least quarterly, if staff do not attend, it is recommended they attend another facility or reschedule with Operations Manager. If staff regularly do not attend training, they will be taken off the roster until a plan is established.

- Summer/seasonal lifeguards must attend training before they commence work
- Casual/part-time lifeguards must attend quarterly

Lifeguards must continuously scan the water. They must regularly move around the area they are responsible for:

- ensuring extensive coverage
- maintaining eye contact and
- communicating with other lifeguards and the public

Lifeguards must not leave the area they are responsible for unless another lifeguard can take over. If a lifeguard needs to leave pool side for any reason, they must advise the Staff in Charge, so that cover can be arranged.

If at any time, a lifeguard feels uncomfortable with the numbers of swimmers they are supervising they must speak to the Duty Manager who will make a decision and allocate additional staff as required.

All lifeguards are required to have a bumbag and whistle on them at all times. Bumbags are to remain fully stocked and checked each shift to ensure that the correct first aid equipment is in them. It is each Lifeguards responsibility to ensure that their bumbag is fully stocked. Bumbags are to contain:

- Gloves
- CPR face shield
- Band-Aids
- Saline solution
- Antiseptic wipes
- Combine pad
- Notebook
- Pen

Responsibility

- All Facility Operations staff
- All Facility Management staff

Guidelines

Supervision of different groups of customers

We have many different customer groups to cater for and some may require more attention than others as our environment may be unfamiliar to them. They may not have good water skills or need additional supervision. They include but are not limited to:

- Young children/infants
- Intellectually disabled people
- New migrants/refugees
- Elderly
- Swimmers using pool for rehabilitation (e.g. heart bypass surgery patients)

Youth may need closer supervision and not necessarily due to poor swimming ability. Being at an age where impressing the opposite sex and being cool in front of your mates is important, behavioural issues may arise from time to time.

In instances where a sports group, squad or Learn to Swim (LTS) session is in progress, lifeguards are still responsible to provide emergency response and customer care. Lifeguards need to be proactive and liaise with coaches, swimmers, LTS instructors and participants when needed as they can assist with rescues and treatment if required.

Pool obstacles and sun glare

Pool obstacles can come in any shape, size or form and are not always in the water. Pool obstacles can be a hazard that may obstruct a lifeguard's line of sight. Where possible, isolate, minimise or eliminate obstacles. Watch out for sun glare as it may obstruct your view and cause minor damage to your eyes.

Structural obstacles

If a lifeguarding position has an obstructed view from pool users, then if possible, move to a more suitable position or notify the Duty Manager.

Water based obstacles

Lifeguards have more control over water-based obstacles. When minimising or eliminating water-based obstacles the lifeguard must provide the customer with an explanation that what they are doing or what they have brought to the pool is prohibiting the lifeguard's ability to view the pool.

Fixed physical obstacles are different for each facility and are outlined in each pool's supervision guidelines.

Rotation

Consistent rotation by the lifeguard is required in order to effectively supervise all areas of the pool. Rotations to different lifeguarding stations will be governed by a set pattern or by the DM/FIC at the start of shift on a written daily roster.

When rotating on shift, lifeguards must ensure that the pool continues to be watched at all times. It is a fact that more accidents occur during rotation due to lack of supervision.

Staff breaks

Lifeguards must have the permission of the Duty Manager before going on a break. The position is to be filled and handover must include updating the lifeguard with any issues encountered.

Lifeguard Communication

There are a variety of ways in which lifeguards communicate with each other including voice, hand signals, whistle blows, UHF radios, duress alarms and using public address (PA) systems. Communication by voice or hand signals might be to pass on information to other team members, request assistance in a non-emergency situation or to remind team members of breaks or duties that are to be carried out.

Lifeguards are required at all times to carry a whistle on them. In an emergency, lifeguard will use a series of whistle blows:

- 1 whistle blow for patrons' attention
- 2 whistle blows for staff assistance
- 3 whistle blows for staff assistance in an emergency

Depending on the situation lifeguards can also shout to other staff for assistance or use a loud hailer, duress alarm or handheld radio. Refer to [Allocation of UHF Radios](#) procedure below.