City of Austin

AUDIT REPORT

A Report to the Austin City Council

Mayor
Lee Leffingwell

Mayor Pro Tem
Sheryl Cole

Council Members
Chris Riley
Mike Martinez
Kathie Tovo
Laura Morrison
Bill Spelman

Parks and Recreation Department (PARD) Patron Safety Audit

February 2014

Office of the City Auditor

City Auditor
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CPA, CIA, CISA, CRMA

Deputy City Auditor
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CIA, CGAP, CFE

REPORT SUMMARY

While PARD has policies in place that address managing risks to patron safety, PARD has not allocated the appropriate skills, structures, and resources to support the implementation of its patron safety policies. As a result, PARD is not managing safety hazards effectively and there is limited assurance that hazards are promptly identified and corrected.

AUDIT NUMBER: AU13028

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GOVERNMENT AUDITING STANDARDS COMPLIANCE

We conducted this performance audit in accordance with Generally Accepted Government Auditing Standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

AUDIT TEAM

Niki Raggi, CGAP, CRMA, CICA, Assistant City Auditor
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February 2014

PARD Patron Safety Audit

Audit Report Highlights

Why We Did This Audit

This audit was conducted as part of the Office of the City Auditor's (OCA) FY 2014 Strategic Audit Plan.

What We Recommend

The Director should allocate the necessary skills and resources to appropriately implement the PARD patron safety program and monitor its effectiveness.

For more information on this or any of our reports, email oca_auditor@austintexas.gov

Mayor and Council,

I am pleased to present this audit on patron safety at Parks and Recreation facilities.

BACKGROUND

This audit was placed on the Fiscal Year 2014 Strategic Audit Plan as result of a risk assessment performed by the Office of the City Auditor that identified PARD as the City department with the highest risks related to managing the safety of patrons at its facilities.

PARD is responsible for a total of 330 locations. PARD facilities include, but are not limited to, parks, recreation centers, senior centers, cultural centers, pools, splash pads, and cemeteries. PARD staff estimates over five million patrons visit their facilities annually.

OBJECTIVE AND SCOPE

The objective of the audit was to determine if PARD has an effective system to identify, address, and mitigate risks to patron safety.

The audit scope included PARD patron safety activities for Fiscal Years 2012 and 2013.

WHAT WE FOUND

While PARD management has developed and approved policies aimed at identifying and managing hazards related to patron safety, PARD executive management has not allocated the appropriate skills, structures, and resources to support the implementation of its patron safety policies.

Key elements of the PARD patron safety program include requirements for hazard identification, data analysis, and hazard correction and monitoring. However, required annual safety audits are not consistently conducted, incidents and injury data is not thoroughly analyzed, and hazards identified are not monitored through correction.

As a result, PARD is not effectively managing hazards related to patron safety and there is limited assurance that hazards identified are corrected promptly.

We appreciate the cooperation and assistance we received from PARD staff during this audit.

Kenneth J. Mory, City Auditor

BACKGROUND

This audit was placed on the Fiscal Year (FY) 2014 Strategic Audit Plan as result of a risk assessment performed by the Office of the City Auditor (OCA) that identified PARD as the City department with the highest risks related to managing the safety of patrons at its facilities.

PARD is responsible for a total of 330 locations. PARD facilities include, but are not limited to, parks, recreation centers, senior centers, cultural centers, pools, splash pads, and cemeteries. PARD staff estimates over five million patrons visit their facilities annually.

OBJECTIVE, SCOPE, AND METHODOLOGY

The PARD Patron Safety Audit was conducted as part of the OCA FY 2014 Strategic Audit Plan, as presented to the City Council Audit and Finance Committee.

Objective

The objective of the audit was to determine if PARD has an effective system to identify, address, and mitigate risks to patron safety.

Scope

The audit scope included PARD patron safety activities for Fiscal Years 2012 and 2013. Patron safety activities refer to measures taken by PARD to protect the public at department facilities.

Methodology

To accomplish our audit objectives, we performed the following steps:

- conducted a survey of 14 PARD division managers regarding patron safety efforts within PARD;
- assessed local media coverage related to patron safety at PARD facilities;
- conducted interviews with PARD staff;
- reviewed safety industry practices;
- analyzed department policies and procedures related to patron safety;
- reviewed relevant claims and lawsuits against the City related to PARD;
- analyzed PARD incident and injuries databases;
- reviewed safety inspection reports for PARD facilities;
- visited numerous PARD facilities including playgrounds, recreation centers, senior centers, and golf facilities; and
- analyzed laws applicable to patron safety at municipal facilities.

AUDIT RESULTS

Finding: PARD has not allocated the appropriate skills, structures, and resources to support the implementation of its patron safety policies. As a result, PARD is not managing safety hazards effectively and there is limited assurance that hazards are promptly identified and corrected.

According to the various safety industry practices we reviewed, organizations should have a system in place to provide reasonable assurance that key hazards are identified. Further, after detection, significant current and potential hazards should be prevented, corrected, or controlled in a timely manner.

PARD has developed and approved policies aimed at identifying and managing hazards related to patron safety that are in line with the Commission for Accreditation of Park and Recreation Agencies (CAPRA) requirements. Specifically, per policies PARD should:

1. inspect, audit, and investigate all department property to identify hazards;
2. gather and analyze relevant data to identify trends and make recommendations for corrective actions; and
3. ensure that corrective actions are addressed and monitor PARD compliance with its safety program.

However, based on our analysis and observations, executive management has not allocated the appropriate skills, structures, and resources to support the implementation of its patron safety policies. As a result, PARD is not managing safety hazards effectively and there is limited assurance that hazards identified are corrected promptly.

PARD policies assign the responsibility of administering its patron and occupational safety programs to a Safety Office who should report directly to the department executive team. In practice, PARD does not have a Safety Office dedicated to administering these programs. In the absence of a Safety Office, patron safety responsibilities have been assigned to the department Occupational Health and Safety Coordinator, whose primary focus is worker safety and who organizationally reports to a Human Resource Supervisor within the Management Services division. In addition, PARD has a Certified Playground Coordinator who reports to the Maintenance Division Manager.

The three sections below outline the disconnect between policies and implementation in each of the three hazard management areas identified above.

1. Hazard Identification

In order to timely identify safety hazards, PARD policies require periodic site inspections and annual safety audits to be conducted on each PARD facility. Additionally, the City's Child Care ordinance requires that each facility that hosts recreational programs undergo an annual safety inspection. As shown in Exhibit 1, safety inspections are not consistently conducted, documented, and monitored as required.

EXHIBIT 1
Implementation of Hazard Identification Policies

PARD Policy Requirement	Implemented?	OCA Observations
The Safety Officer, in coordination with site supervisors, should conduct a comprehensive annual safety audit on each staffed PARD facility	No	A total of 2 of 118 staffed PARD facilities in FY 2013 received a comprehensive safety audit by the Occupational Health and Safety Coordinator
Playgrounds are to undergo an annual playground audit by a certified playground safety inspector	Partially	52 of 99 PARD-identified playgrounds received an audit by a certified playground inspector in FY 2013
Division Managers are responsible for ensuring that each location of operation receives random in-house safety and health self-inspections with results forwarded to the Safety Office for review	Partially	Based on our review of documentation for the recreation centers in the south and north districts, recreation centers receive periodic maintenance inspections or safety self-inspections; however, the results of these inspections are not provided to the Occupational Health and Safety Coordinator and there is not a system to ensure division managers receive and review inspection results

SOURCE: PARD policies and OCA observations during the course of the audit, September-December 2013

2. Data collection and analysis

According to PARD policy, safety staff should collect and analyze data, including incidents and injuries, on an ongoing basis. Such analysis should lead to recommendations to identify trends and prevent common types of accidents. All incidents and injuries shall be entered into the PARD injury and incident database and forwarded to the Safety Office. However, we found that PARD does not have a central database for all incidents or injuries that occur at PARD facilities. Rather, there are three separate systems (general database, aquatic database, and Park Ranger database) and these datasets are not reviewed or analyzed in the aggregate. In addition, summary annual inspection information and patron safety summary data from the general database is not reported to executive management.

Additionally, according to OCA analysis, the information in the databases is incomplete, contains information that is not relevant, and the data is not categorized in a manner that provides useful trend analysis. For example, the general PARD database contains over 70 categories of injuries, including: *cut, fall, minor, scratches, minor scrapes, hit, hit in the mouth, bee sting, mashed fingers, major, and red mark on forehead*. Also, there is confusion over what constitutes an incident and what constitutes an injury. According to PARD policy, injuries are minor accidents that require at most on-site first aid, while incidents are major accidents that require EMS assistance. However, according to OCA analysis, 70% of the reported incidents are categorized as general conduct and relate to children's behavioral issues.

3. Hazard correction

As indicated above, after detection, significant current and potential hazards should be prevented, corrected, or controlled in a timely manner. Per PARD policies, when a hazard is identified, it is either corrected by eliminating the cause of the hazard at the source or is effectively controlled, such as controlling or limiting access to a specific area. However, as shown in Exhibit 2, currently there is no mechanism to ensure that once identified, hazards are actually corrected.

EXHIBIT 2
Implementation of Patron Safety Hazard Correction Policies

PARD Policy Requirement	Implemented?	OCA Observations
The Safety Officer should conduct follow-up inspections to ensure corrective action is taken	No	We found no evidence that routine follow-up is conducted
The Safety Office is responsible for monitoring the implementation of the safety program to ensure compliance	No	Documentation needed to evaluate compliance with the safety program is not maintained in a central location

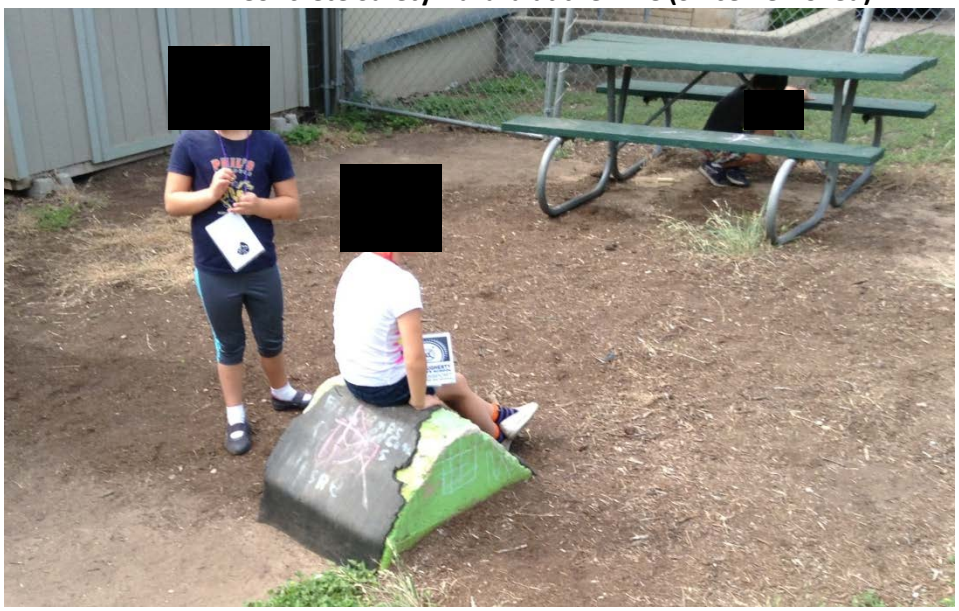
SOURCE: PARD policies and OCA observations during the course of this audit, September-December 2013

Over the course of our audit, we found various instances of delays in addressing identified safety hazards. For example:

- The Annual Playground Conditions Overview Report from November 2012 identified eight playground locations with non-compliant safety hazards that, according to priority ratings established by the International Playground Safety Institute, are "non-compliant safety concerns that may result in permanent disability, loss of life or body part, and should be corrected immediately." As of December 2013, only four of the eight playscapes have had the hazards mitigated. Although the implementation of a new playscape is assigned to the Capital Improvement Planning Division, there appears to be disagreement between this division and the Maintenance Division over what PARD division is responsible for mitigating the existing hazards.
- A tree fell and injured a park patron on the Town Lake Trail in September 2013; PARD had identified the tree for removal a month prior.
- The Occupational Health and Safety Coordinator asserted that he has identified safety hazards at multiple PARD locations, but due to disagreement with PARD division managers over the severity of the hazard, action was not taken to mitigate the hazard.
- One person was killed, and another seriously injured, when a car jumped the curb on the Town Lake Trail in May 2012. A temporary guardrail was installed at the location and remains today. It is unclear when a decision will be made regarding safety at the location. In 1999, the Governor was injured at the same location.

- A safety issue at the Dougherty Arts Center (DAC) play area was identified by the site supervisor, Occupational Health and Safety Coordinator, and playground inspector. The hazard was partially addressed in the summer of 2013, only after a child injured his head and required stitches.

EXHIBIT 3
Concrete Safety Hazard at the DAC (Since Removed)



SOURCE: PARD photo, June 2013

- The site supervisor and the Occupational Health and Safety Coordinator indicated that the play area at the DAC in its current condition continues to present a possible hazard to children (shown below). The Occupational Health and Safety Coordinator has proposed alternative options to the current play area, but an alternative plan has not been agreed upon.

EXHIBIT 4
DAC Play Area as of January 2014

SOURCE: OCA photo, January 2014

- Site visits conducted by our staff in conjunction with PARD staff indicate there are various minor outstanding safety hazards at the DAC, Hancock Recreation Center, and Jimmy Clay Golf Barn, including slippery conditions on steps and stairways and an ADA ramp with a rotten railing, shown below.

Exhibit 5
Minor Hazard at Dougherty Arts Center

SOURCE: OCA photo, January 2014

Executive management support is critical to the successful implementation of any policy. While PARD executive management commitment is clearly spelled out in its safety policies, as mentioned above, this commitment has not been supported by the appropriate skills, resources, and structures.

Without a structure in place to ensure safety inspections occur, without relevant safety data being collected and analyzed, and without a mechanism to ensure identified hazards are addressed timely, there is limited assurance that hazards to patron safety at PARD facilities are promptly identified and corrected. As a result, the City may subject its patrons to preventable harm and itself to legal and financial liability.

RECOMMENDATION

The recommendations listed below are a result of our audit effort and subject to the limitation of our scope of work. We believe that these recommendations provide reasonable approaches to help resolve the issues identified. We also believe that operational management is in a unique position to best understand their operations and may be able to identify more efficient and effective approaches and we encourage them to do so when providing their response to our recommendations. As such, we strongly recommend the following:

In order to ensure that PARD has a system in place to provide reasonable assurance that patron safety risks are identified and addressed timely, the Director should allocate necessary skills and resources to appropriately implement the PARD patron safety program and monitor its effectiveness.

MANAGEMENT RESPONSE: **Concur.** Refer to Appendix A for management response and action plan.

APPENDIX A

MANAGEMENT RESPONSE - ACTION PLAN

City of Austin
Parks and Recreation Department
200 South Lamar Blvd, Austin, TX 78704

January 8, 2014

Mr. Kenneth J. Mory, City Auditor
Office of the City Auditor
Kenneth.mory@austintexas.gov

Subject: Parks and Recreation Department Patron Safety Audit

Mr. ~~Mory~~, Ken

Please find attached the Parks and Recreation Department's (PARD) response to the Patron Safety Audit dated January 6, 2014.

I have reviewed the report findings and recommendations associated and agree with the report recommendation:

"In order to ensure that PARD has a system in place to provide reasonable assurance that patron safety risks are identified and addressed timely, the Director should allocate necessary skills and resources to appropriately implement the PARD patron safety program and monitor its effectiveness."

In response to the findings, PARD intends to implement the following phased action plan and timeline:

Recommendation	Concurrence and Proposed Strategies for Implementation	Status of Strategies	Proposed Implementation Timeline
In order to ensure that PARD has a system in place to provide reasonable assurance that patron safety risks are identified and addressed timely, the Director should allocate necessary skills and resources to appropriately implement the PARD patron safety program and monitor its effectiveness	Create a comprehensive inspection system to identify potential hazards within recreational facilities, specialized amenities and the general park system; inspection protocols will include consistent documentation of departmental responses to said hazards, as well as ongoing monitoring to ensure the effectiveness of remedial actions taken	Planned	September 30, 2014
	Create a centralized incident/accident database for incidents/injuries that occur at PARD parks and facilities to include data categorization, trend analysis and regular reporting to the executive team	Planned	September 30, 2014

The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.

City of Austin
Parks and Recreation Department
200 South Lamar Blvd, Austin, TX 78704

In order to ensure that PARD has a system in place to provide reasonable assurance that patron safety risks are identified and addressed timely, the Director should allocate necessary skills and resources to appropriately implement the PARD patron safety program and monitor its effectiveness	Continue the playground replacement program, with the intention of completing the replacement FY 2013 replacement phase by the end of FY 2014	Underway	September 30, 2014
	Begin design processes for additional playground sites identified by the audit in FY 2014 and complete construction by end of FY 2015	Planned	September 30, 2015
	Review the scope of current Safety training, and provide additional training as necessary to ensure that departmental training curricula appropriately applies to departmental Safety demands	Planned	September 30, 2014
	Through the 2015 City of Austin budget approval process, request funding to support a Department Occupational Health and Safety Officer	Underway	September 30, 2014

The Department is committed to ensuring parks and recreational facilities are safe for all to enjoy. The completion of the above action plan will allow us to meet this goal.

Sincerely,

Sara Hensley, CPRP, Director
Austin Parks and Recreation Department

cc: Marc A. Ott, City Manager
Bert Lumbreras, Assistant City Manager
Cora Wright, Assistant Director
Jesse Vargas, Assistant Director
Kimberly McNeeley, Assistant Director