

"BRITISH LEGISLATION IN RESPECT OF HYGIENICS IN SPORTS INSTALLATIONS"

by

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The United Kingdom of Great Britain and Northern Ireland is a Parliamentary Democracy with a Constitutional Monarchy. The laws of the land are promulgated either in the courts of the Judiciary (Case Law) or by Parliamentary enactment (Statute Law). In addition certain legislative measures may be taken by Executive. The above-mentioned sources of the law apply generally across the country. Statutory provision is also made for Local Government (City, County, Town and District Corporations and Councils) to bring into force certain by-laws which are locally applicable. Where such by-laws have to do with matters of general concern they usually follow the models prepared by the appropriate Government Department or Ministry.

The Public Health Act of 1936 (Section 233 of Chapter 49 of the Public General Acts 1936) lays down the responsibility of Local Governments to maintain the purity of water in swimming baths not under their own control which are either open to the general public or to which admission is by direct payment. The significance of this small section of the Act is that, taken with section 223 which establishes the responsibility of Local Governments to maintain the purity of water in swimming baths under their own jurisdiction, and section 225 which defines the conditions under which publicly owned swimming baths may be made available to private organisations, private and public installations are considered separately. That is to say, as far as legislation is concerned, there is a clear distinction drawn between those sports installations to which access is restricted to members of a particular club, association or indeed family, and those which may be used either gratis or upon payment of an admission fee by any member of the public not in some other way disqualified.

No specific legislation applicable to hygienics in privately owned and controlled sports installations as such exists, though of course such

installations are subject to basic public health and allied legislation of a general nature.

It is perhaps significant that no specific legislation is made in respect of private installations. Hygiene is so very much a personal matter both in respect of the individual's own self-defence and his care and consideration for the welfare of others, and is therefore largely conditioned by personal background and training. It is assumed (and since the British as a race tend to be rather reactionary this assumption carries considerable force) that once the minimum standards of the most general nature are defined the corporate customs and traditions, to say nothing of the rules of membership, of private organisations are such as will effectively maintain specific standards appropriate in each case. Note that in view of the considerable variation in these customs and traditions, governed as they are by social, economic and other dictates, the standards of hygiene to be set from one establishment to another vary considerably.

What is surprising is that whereas the model by-laws for application by Local Governments under section 233 of the 1936 Act already mentioned and which the Minister of Health indicates to be equally applicable to directly controlled swimming baths and bathing pools, set out in considerable detail quite rigid standards of hygiene, no such standards are to be found applicable to any other type of sports installation.

Thus, although there are upwards of a dozen Acts of Parliament relating to Public Health, Education, Physical Training and Recreation which are relevant to the provisions of various types of sports installations, gymnasias and the like, the only direct legislative provisions bear solely upon the hygienic measures to be observed in swimming pools which are owned or used by the general public. Certain of the points in this legislation cover also bathing places which are natural lakes or parts thereof, or parts of running streams or rivers.

The provisions as set out in the Model By-Laws of the Ministry of Housing and Local Government and published by the Stationary Office (the official Government publishers) in 1937 cover certain clearly defined aspects of hygiene.

1. Water Purity:

The water must be no less pure than that supplied by the local public water supply and must, while the pool is in use, be changed at such a rate as to change the whole of the water at least once in every four hours in

the case of a covered (indoor) pool, or six hours in the case of an open (outdoor) pool.

Where water is returned to the pool it must be purified by filtration, aeration and disinfection.

Where disinfection is by chlorination there must at all times be present in the water not less than 0.2 and not more than 0.5 parts per million of chlorine.

Every bath must be emptied and thoroughly cleansed at least once in every twelve months, those that are only open seasonally being cleansed prior to opening.

2. Adequacy and Cleanliness of Accommodation:

Here rules are made for the cleansing of paths and bath surrounds, the provision and maintenance of sufficient and clean changing accommodation, the laundry of communal bathing dress and towels, and the provision of adequate facilities for shower baths footbaths and toilet and sanitary conveniences for each sex. These rules are simply stated and no actual standards are quoted.

3. Prevention of Accidents:

This section provides for the marking of water depths and diving stage heights, the maintenance in good repair of all equipment, the provision of handrails, steps, lifebuoys, life lines etcetera, and the limitation of electrical fittings and their current supplies. This section also calls for the provision of an attendant skilled in first aid and life saving.

The Diving Safety Committee of the Amateur Swimming Association is concerned, and with good cause, at the lack of standards of safety in relation to the ratio diving stage height/pool depth, and attempts are being made at present to introduce enforceable fixed standards. Some details are given in the leaflet "Design and Construction of Open-air Swimming Pools" published by the Cement and Concrete Association which also gives other useful guides to hygienic standards.

4. The final part of the Model By-Laws, in addition to certain technical points, has to do with the conduct of persons using the bath, and forbids the use of soaps by bathers, forbids the wilful fouling of bath

water or surrounds, prohibits the use of the bath by persons suffering from infectious or contagious diseases, and denies the bath to animals.

These then are the sole laws directly relevant to sports installation hygiene in Great Britain. No others apply, with the possible exception of those referring to the pollution of rivers and lakes which, as locales for sailing, rowing, canoeing and other aquatic sports might be considered to fall within the category of sports installation.

We have no laws at all specifically covering the construction, maintenance and use of gymnasia, changing rooms, pavilions and the like, nor any which specifically cover the construction maintenance and use of equipment and apparatus therein. However it must be remembered that certain standards may be maintained by the deterrent effect of possible actions for recovery of damages as a result of personal or material injury which may be brought in the courts of the judiciary if negligence can be shown to be a prevailing factor. Such negligence could well be constituted by failure to maintain reasonable standards of hygiene.

A comparison of the position in the United Kingdom with that in other countries will be most interesting and stimulating. The conclusion cannot be escaped however, that hygiene seems to be a matter as much for education as for legislation, for though "you can lead a horse to water, you cannot make it drink".