

FACTSHEET



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Swimming Pool and Spa Safety

What are swimming pools and spas?

Swimming pools and spas are structures containing water, used for swimming and other water activities.

This fact sheet refers to in ground and above ground pools and spas, with a depth of more than 30cm.

How may a child be injured?

Drowning and near drowning

- Children may fall into the water and drown after gaining access through an open gate, faulty fence or by climbing on nearby furniture.
- Children may fall into water while trying to retrieve something.
- Children using floatation devices may lean forward and tip over, causing their head to go under water.
- Children who get into trouble whilst swimming may drown if an adult is not within arm's reach.
- Children's hair may get sucked into a spa jet, causing a child to be held under water.
- Near drowning can result in permanent brain injury.

Infection

- Children can become ill when pool water is not properly treated or if the pool is not emptied after use. Bacteria and viruses thrive in the warm, shallow water.

Other life threatening injuries

- Children may be seriously injured or disemboweled by old style pool filter boxes. These are now banned.

Related factsheets

- [Inflatable or portable swimming pools](#)
- [Skimmer box injuries](#)

How common are these injuries?

Drowning is a leading cause of death among children under the age of five. In NSW, in 2013-14, six children under the age of five drowned with a further 70 children hospitalised for near drowning.¹⁻² Of near drowning, 10-20% of children will suffer some form of brain damage ranging from mild to severe.³⁻⁶

Two of the main causes of drowning include children being left without adult supervision and children accessing swimming pools through fencing that doesn't comply with the Australian Standards.⁷⁻⁹

Pools are an obvious risk but children can also drown in baths, spas, dams, rivers, creeks, garden ponds and nappy buckets. It takes as little as 5cm of water and an unsupervised child for a drowning to occur.

Is there a Law or an Australian Standard for swimming pool safety?

The *Swimming Pools Act 1992* (NSW), states that all swimming pool fences must comply with the Australian Standard (AS 1926). This Act requires the owner to make sure that a child resistant barrier surrounds the pool. All pool owners must register their pool at on the NSW Swimming Pool register at <http://www.swimmingpoolregister.nsw.gov.au/>

The Act also states that all swimming pool water recirculation systems sold in Australia must comply with the Australian Standard (AS 1926.3 – 2003).

Pool fencing is designed to save children's lives by preventing their access to pools. A four sided fence, that does not include any part of the home, has proven to be the safest.¹⁰

Pool fencing is a legal requirement and significant penalties of up to \$5,500 can be imposed if your swimming pool does not comply.

Pool fencing requirements

A fence or barrier must separate the pool from any premises whether public or private. Indoor swimming pools must have child resistant barriers (e.g. child resistant doors and windows). Spas are exempted from needing a child resistant barrier or fence, as long as it is restricted with a child resistant barrier when the spa is not in use (e.g. lockable lid).

The standard swimming pool fence:

- is 1.2m high with a self-closing and self-latching child resistant gate that opens outwards, away from the pool area.
- has vertical bars no more than 10cm apart and any horizontal bars at least 90cm apart.
- has a gap under the pool fence no more than 10cm.
- must have a CPR sign
- must not have objects such as BBQs, furniture, planter boxes, trees, or shrubs within 90cm of the fence, which could allow a child to climb over the fence.

The requirements for child-resistant barriers vary depending on when the pool was built and where the pool is located:

For pools built prior to 1990:

- Access to the pool from the house must be restricted at all times. The wall of a residential building can form part of the barrier, provided access is restricted by child safe doors and windows.

For pools built after 1 August 1990 but before 1 July 2010:

- The pool must be surrounded by a fence that separates the pool from the house. Some exemptions apply from having a four-sided barrier, for pools on very small properties (less than 230 square meters), large properties (2 hectares or over) and waterfront properties.
- The wall of a residential building can form part of the barrier, but it cannot include doors or windows.

For pools built after 1 July 2010:

- All new pools must be separated from the house by a complying four sided fence.

All local councils have their own inspection programs, which commenced **before 29 October 2013**. Local councils can charge pool owners up to \$150 for the first inspection and up to \$100 if a second inspection is needed (if faults are identified at the first inspection).

As of 29 April 2015, all tourist and visitor accommodation or properties where there are more than two dwellings must have a swimming pool inspection at least once every three years.

As of 29 April 2016, all residential properties with a swimming pool must have a valid certificate of compliance before the property can be leased or sold.

Further information is available in the Protect Your Pool, Protect Your Kids online video and checklist, available on the [swimming pool fencing](#) page on the Kids Health website.

Protect Your Pool, Protect Your Kids

To watch an online video on what you should know about pool fencing legislation and the common faults, please visit the Kids Health website.

A checklist is also available to inspect your pool in English and translated into 16 languages.

Visit:

<https://kidshealth.schn.health.nsw.gov.au/swimming-pool-fencing>



Source: Kids Health, The Children's Hospital at Westmead

Remember:

- Always supervise children within arm's reach when in and around the water.
- Never leave another child responsible for a young child in a swimming pool or spa, no matter how confident you are about the ability of the older child to watch the young child. Children are not capable of such responsibility.
- Know the importance of water familiarisation classes and swimming lessons, but do not rely on them to prevent your child from drowning.
- Learn infant and child resuscitation.
- Regularly check the swimming pool fence and gate throughout the year.
- Ensure the pool gate is always closed and never propped or left open.
- Keep pot plants and other furniture away from the swimming pool fence so that they cannot be used to climb over and gain access to the pool.
- Always leave your pool filter cover on so that children may not gain access to it.
- Display a CPR chart near the pool or spa.
- Ensure that pool chemicals are stored in a safe place, at least 1.5m above ground level, away from children.

References

1. Royal Life Saving Society Australia (RLSSA). (2015) *Unpublished Data*. Broadway, Australia.
2. NSW Ministry of Health (2015) *Injury Related Hospitalisations (unpublished data)*. Sydney: Centre for Epidemiology and Evidence.
3. Ross, F., et al. (2003) Children under 5 years presenting to paediatricians with near-drowning. *Journal of Paediatrics and Child Health*, 446-450.
4. Kreisfeld, R. and Henley, G. (2008) *Deaths and Hospitalisations Due to Drowning, Australia 1999-00 to 2003-04*.
5. Pitt, W.R. & Balanda, K.P. (1991) Childhood Drowning and Near-drowning in Brisbane: The Contribution of Domestic Swimming Pools. *Medical Journal of Australia*, 661-63.
6. The Department of Local Government. (2008) Review of the Swimming Pools Act 1992. [Online]. [Cited: April 15, 2010.] <http://www.dlg.nsw.gov.au/dlg/dlghome/documents/Information/Swimming%20Pools%20Act%201992%20Review%20-%20Report.pdf>
7. NSW Child Death Review Team. (2015) Child Deaths: Drowning deaths of children (private swimming pools) 2007-2014. NSW Ombudsman. [Online]. http://www.ombo.nsw.gov.au/_data/assets/pdf_file/0010/27667/Drowning-deaths-of-children-private-swimming-pools-20072014.pdf
8. The Centre for Trauma Care, Prevention, Education and Research (CTCPEP) and Kids Health. (2015) *The NSW Study of Drowning and Near Drowning in Children (0-16)*. The Children's Hospital at Westmead.
9. Bugeja L.(2004) [Drowning of 0-5 year old children in private swimming pools & spas in Victoria: 1997-2001](#). Melbourne: State Coroner's Office and Department of Human Services.
10. Thompson DC, Rivera F. (1998) [Pool fencing for preventing drowning in children](#). Cochrane Database of Systematic Reviews 1998, Issue 1. Art. No.: CD001047. DOI: 10.1002/14651858.CD001047.