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Childcare centres may be providing inadequate shade protection

CHOICE's investigation into the shade cloth industry reveals that some childcare centres may be providing inadequate shade protection. Online 12/12/2008

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As Australia has one of the highest rates of skin cancer in the world, effective shading from our harsh sun is essential protection for any outdoor area. However, CHOICE recently uncovered gaping holes in the regulation of Australia's shade design and installation industry, with lack of knowledge and expertise often resulting in devices that fail to provide adequate protection.

Outside of Queensland and Victoria, where shade installers require a builder's licence, virtually anyone can install shade cloths regardless of what may well be their limited understanding of the complex issues involved.

The implications for childcare centres, which are legally obliged to have adequate shade, are particularly alarming. Even centres that have been certified SunSmart by Cancer Council Australia may have unwittingly purchased a shade cloth with a low level of ultraviolet radiation (UVR) protection. Or it could be that the shade structure is installed incorrectly and therefore provides inadequate protection during peak UV times of the day.

SunSmart certification

Since the nationwide SunSmart Early Childhood Program was introduced in 1998, more than 3500 childcare centres across Australia have been certified SunSmart. The program is voluntary and provides sun protection guidelines for participating centres to follow, including identification and use of shaded areas for outdoor activities.

The Cancer Council recommends centres conduct their own shade audits to ensure shade protection is adequate. However, Cancer Council Australia does not itself inspect or carry out shade audits as part of its SunSmart certification. According to a spokesperson: "Regulation is the responsibility of state governments, each of which has its own recommendations or guidelines for sun protection, shade in outdoor spaces and duty of care."

And therein lies the problem. With responsibility falling across different organisations – many with stretched resources to adequately police the sun protection policies of so many childcare centres – accountability is hard to pin down.

NSW under the microscope

For NSW childcare centres, interpreting the regulations can be confusing. Centres come under the responsibility of the Department of Community Services (DoCS), whose regulations specify that they must provide “adequate shade” based on Cancer Council NSW and NSW Health Department’s *Shade Guidelines for Childcare Services*.

A DoCS spokesperson told CHOICE that departmental officers carry out “comprehensive inspections” of the physical environment of childcare centres to ensure they have an appropriate sun protection policy in place. However, what actually constitutes adequate shade is only broadly described in the official regulations.

Cancer Council NSW’s guidelines recommend, among other things, that shade cloths have at least 94% UVR block (essentially a measurement of the amount of UV blocked out). But in NSW, using a shade cloth rated lower than the recommended 94% is not necessarily grounds for non-compliance.

“A shade cloth is but one of the physical aspects of outdoor play space that contributes to it being an adequately shaded area,” says the DoCS spokesperson. “It is unlikely that a children’s service would be deemed non-compliant merely for not having a shade cloth with a minimum of 94% UVR block.”

She also says officers conduct unannounced and random checks on centres to check compliance with all regulations, including the centre’s sun protection policy and practice. One preschool in Macquarie Fields had its licence revoked in January 2008 for several breaches, including failure to provide adequate shade for outdoor play areas.

Archicentre, the building advisory service of the Australian Institute of Architects, voiced its concerns with the lack of understanding of what “adequate shade” means. “The regulation is in place, and self-regulation in part is already in place – the real problem is that people do not understand the regulation, much less comply,” says Angus Kell, Archicentre’s NSW/ACT state manager.

Between January 2007 and November 2008, WebShade, a professional shade auditing company, conducted audits of seven childcare centres and found none complied fully with regulations, despite two being SunSmart certified.

“The three key areas of non-compliance were inadequate UV protection levels of shade cloths, poor shade design and ineffective shading in open play areas. The managers of the centres also did not know how much UVR protection their shade cloths provided,” according to WebShade’s director, architect John Greenwood.

UV fast facts

- Sunlight is made up of light, heat and ultraviolet (UV) radiation. It is the UV radiation part of sunlight that causes sunburn and skin damage and leads to premature ageing and skin cancer.

- UV radiation cannot be seen or felt. UV levels are not related to air temperature – maximum UV levels occur around midday when the sun is directly overhead. High levels of UV radiation also occur on cool days.
- You can get burnt on cloudy days – especially if cloud cover is thin. Cloud scatters the UV radiation in all directions and although you receive less direct UV radiation you may receive more indirectly. Heavy cloud decreases the amount of UV radiation. Scattered patchy cloud has little or no effect on UV radiation levels.
- UV radiation levels are dangerous for skin when they reach a UV Index level of 3 or above.
- UV radiation levels are strongest between 10am and 3pm – but are also strong enough outside these hours to cause skin damage. UV radiation is strongest during the months that the sun is directly overhead.

Source: cancersa.org

Childcare directors key / CHOICE verdict

Childcare directors are key to providing adequate shade

In order to implement an effective sun protection policy in NSW, childcare centre operators must rely on correctly interpreting Cancer Council NSW guidelines, including proper shade installation. Putting faith in shadecloth suppliers and installers to get it right is fraught with risk.

Given there are about 65 DoCS officers charged with overseeing regulation and compliance throughout the state's 3419 licensed children's services, childcare centres that play a proactive role in ensuring SunSmart practices will make a difference in providing adequate shade. Juliet Ranieri, director of KU Wahroonga Preschool told CHOICE she contacted five different shadecloth installers and was quoted between \$19,000 and \$30,000 for the job.

"One shadecloth installer came for just five minutes, gave me their quote and left," she says. "Another tried to convince me I needed multicoloured shadecloths. Another told me he could put the new shadecloth over the old poles, which I was later told caused the sag in the old shade sail. Another took out two business cards; he was both a shadecloth installer and an electrician."

On the end, Ms Ranieri chose the installer who offered the most detailed explanation of what the school's \$24,000 was being spent on. He explained the properties of the shadecloth material, claiming it had a 94% UVR block, and his credentials included references from past jobs.

Ranieri then applied for KU to be a SunSmart school once the shadecloth was put up and certified. She has not had a professional shade audit done but stuck very closely to the recommendations of Cancer Council NSW.

CHOICE set up a preliminary shade audit of KU with auditor John Greenwood. The preschool scored 9.5 out of a possible 10 for having the right shade materials and shade projected in the right areas.

"Ms. Ranieri understood the shade needs of her site. She knew what material the shade cloth was made of and what protection it offered," says Greenwood. "This is rare as many people we have done shade audits for do not know where shade is really needed or what UV protection is required." Her efforts in getting the right installer have also had a tremendous effect in achieving a successful shade outcome," he added.

CHOICE asked DoCS and the Cancer Council for possible solutions they may have considered in ensuring what "adequate shade" is in practice, but no one seems to want to take responsibility for solving the problem.

A Cancer Council spokesperson says that the Cancer Council is non-government organisation, not an enforcement agency and cannot regulate for shade in early childhood services.

A spokesperson from Department of Community Services (DoCS) told CHOICE: "DoCS supports moves to improve the quality of equipment used in children's services. However, the installation of equipment in children's services, whether it be shade cloths, playground equipment, or kitchen facilities is managed by the individual children's service. DoCS does not have a mandate to regulate the shade cloth industry."

However the licence conditions that adequate shade must be provided as part of a childcare services facilities and equipment requirement falls under DoCS' jurisdiction.

CHOICE verdict

CHOICE would like to see state governments better monitor child care centres' compliance with the Cancer Council guidelines. Shade audits and installation of any shade cloth, as required by those guidelines, should be enforced as a condition of licensing for child care centres.