



THE CITY OF NEW YORK
OFFICE OF THE COMPTROLLER
SCOTT M. STRINGER

February 27, 2015

Commissioner Mitchell J. Silver
Department of Parks and Recreation
City of New York
The Arsenal
Central Park
830 Fifth Avenue
New York, NY 10065

Re: Playground ClaimStat

Dear Commissioner Silver,

I write today to share the results of a ClaimStat Alert on playground-related personal injury claims filed against the City of New York from FY 2005 – FY 2014. We hope the data in this report can be used by your Department as a tool to determine how to invest capital dollars in our playgrounds, and to explore how design improvements and enhanced training for Parks maintenance staff can make our playgrounds even safer for New York City kids.

The major conclusions of the report are:

- 577 playground-related claims were filed against the City over the ten-year period—an average of over one a week.
- Annual claims have risen 53 percent over the last ten fiscal years, from a low of 45 in FY 2005 to a high of 69 in FY 2014, despite the fact that the number of children under the age of 18 in New York City declined by nearly 7 percent from 2005 to 2013.
- 530 playground-related personal injury claims were settled between FY 2005 and FY 2014 at a cost of \$20.6 million.
- Causes for injuries cited in the claims included:
 - Defective/broken surfaces/matting, which accounted for over 30 percent of claims;
 - Playground equipment—including climbing apparatus, slides, and swings—accounted for nearly 20 percent of claims;
 - Improper maintenance, which accounted for over 10 percent of claims; and
 - Improper playground design, which accounted for about 1 percent of claims.

While we cannot eliminate all injuries that stem from children at play, we can take a number of steps to ensure that our City playgrounds are as safe as possible. This means ensuring that the maintenance and design of playground equipment is in line with best practices.

The Preliminary Mayor's Management Report (MMR) for FY 2015 found that in the first four months of FY 2015, the percentage of play equipment rated "acceptable" *fell* from 93 percent to 91 percent compared to the same period in FY 2014. Similarly, the percentage of safety surfaces rated "acceptable" also fell, from 95 percent to 94 percent.

Our report encourages Parks to develop a plan to get those figures to 100 percent, and also recommends that the Department partner with the City's Health and Hospitals Corporation (HHC) to identify potential problems at City playgrounds, and examine the effect of the Playground Associates program on personal injury claims.

Ultimately, ClaimStat is designed to be an instrument you can use to improve risk management within your agency. To that end, I would welcome a meeting with your staff to further discuss these results. Furthermore, I encourage you to reach out to my office if you need additional information about claims or settlement activity on playgrounds or anywhere else within the Department's jurisdiction.

I look forward to partnering with you in the months to come, as winter turns to spring and thousands of children once again descend on playgrounds in every corner of our five boroughs.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott M. Stringer". The signature is fluid and cursive, with a long horizontal stroke extending to the left.

Scott M. Stringer
Comptroller
City of New York