

# Questions and Answers:

## **Amendments to R.R.O. 1990, Reg. 565: Public Pools and O. Reg 503/17: Recreational Camps to Lower the Lifeguard Age from 16 Years of Age to 15 Years of Age**

Ministry of Health – June 2, 2023

This is a compilation of questions and answers on recent amendments to Regulation 565 (Public Pools) Pools and O. Reg 503/17: Recreational Camps under the *Health Protection and Promotion Act* (HPPA). It is a living document created by the Ministry of Health and will be updated periodically. It is not intended to be comprehensive. It is also not intended to provide any legal advice. If you have any questions about the application of these regulations, you should consult with a lawyer.

### **Q1: What changes have been made to the Public Pools and Recreational Camp regulations?**

On June 2, 2023, Regulation 565: Public Pools and Ontario Regulation 503/17: Recreational Camps under the *Health Protection and Promotion Act* were amended to lower the legal age of lifeguards, assistant lifeguards, and aquatic instructors/coaches from 16 to 15 years of age.

### **Q2: Why change the current requirements?**

In 2020, the Lifesaving Society adopted 15 years of age as the minimum age prerequisite for certification as a National Lifeguard, Swim Instructor, and Lifesaving Instructor. The Ministry of Health is adopting the Lifesaving Society's national standard.

These changes are also intended to help to aid in the reduction of staff shortages and retention challenges in the aquatic sector.

### **Q3: Will the Ministry of Health be providing guidance and/or training resources to support the changes?**

The Ministry of Health has developed fact sheets and Qs&As to assist aquatic stakeholders, public health units (PHUs) and operators.

The Ministry of Health plans to work with aquatic stakeholders and PHUs to promote safe decision-making when recruiting 15-year-olds to these positions.

The Ministry of Health will be updating the Recreational Water Reference Document to provide more information about best practices related to safety and supervision at pools and waterfront areas at recreational camps to support owner/operators in safe decision-making when staffing their facilities.

### **Q4: When will these changes, come into effect?**

These changes came into effect upon filing on June 2, 2023.

### **Q5: Will public health risks increase if the minimum age for a lifeguard is changed to 15 years old?**

The government takes the matter of safety and lifeguard supervisions at public pools and in waterfront areas at recreational camps very seriously.

These changes lower the legal age of lifeguards, assistant lifeguards, and aquatic instructors/coaches from 16 to 15 years of age, aligning with the Lifesaving Society's eligibility requirements for lifeguard certification.

PHUs will continue to have the authority to inspect pools and recreational camps for compliance with regulatory requirements and any potential safety risks.

The Ministry of Health will also be updating their relevant Recreational Water Reference Document to clarify the changes and to provide more information on best practices for lifeguard supervision and plans to work with aquatic stakeholders

and PHUs to promote safe decision-making when recruiting 15-year-olds to these positions.

## **Q6: How will organizations benefit from these changes?**

Public health stakeholders and water safety experts, including the Lifesaving Society are supportive of lowering the legal age of lifeguards, assistant lifeguards, and aquatic instructors/coaches from 16 to 15 years of age as they support aligning the regulation with the Lifesaving Society's National Lifeguard Certificate Program.

These changes allow owner/operators to maintain and expand their hours of operation, leading to increased access to lifeguard-supervised public pools and swimming lessons across the province.

It is anticipated that swimming lesson and lifeguard training providers will be able to offer additional training and/or instruction as a result of having more certified lifeguards and aquatic instructors/coaches available in Ontario.

## **Q7: Do 15-year-olds have the physical and mental maturity to work safely as lifeguards?**

This change will align with the Lifesaving Society's eligibility requirements for lifeguard certification.

The Lifesaving Society assesses many factors when certifying lifeguards, including physical, cognitive and emotional maturity that determine successful outcomes.

A student will not be certified unless they are able to demonstrate all required components of the lifeguard certification course.

## **Q8: Does this change apply to recreational camps, that are located in more remote/rural areas?**

This change applies to all recreational camps with waterfront areas, regardless of their location in Ontario.

Recreational camps have a minimum supervision requirement of two lifeguards on duty in waterfront areas.

## **Q9: Will these changes apply to all recreational water settings?**

Settings within the scope of the amendments include class A and B pools, wave action pools, and recreational camps.

Settings not within the scope of the amendments include beaches and waterfronts (unless it is part a recreational camp), water slide receiving basins (subject to the TSSA), and public wading pools, public spray pads and public splash pads.

## **Q10: Who did the government consult with on the changes?**

The government values the perspectives provided by Ontarians and organizations.

The regulation was posted on [Ontario's Regulatory Registry](#) for public comment. Members of the public and organizations provided their input. Overall, stakeholders were supportive of the amendments.

In spring 2023, the Ministry of Health consulted with public health and aquatic industry stakeholders on the amendments. Most public health stakeholders and water safety experts were supportive of the amendments as they support aligning the regulation with the Lifesaving Society's National Lifeguard Certificate Program.

## **Q11: Do we have enough training programs in Ontario?**

The Public Pools Regulation requires lifeguard and assistant lifeguard certifications to be issued by the Lifesaving Society, Canadian Red Cross, or other organizations that provides equivalent training in lifeguarding and that is approved by the Minister.

In 2022, the Canadian Red Cross announced that they would no longer be offering swim or lifesaving courses, except in certain First Nations Communities.

The Ministry of Health is currently developing a process to approve additional lifeguard certification programs; however, no additional programs have been approved at this time.

## **Q12: Will these changes add pressure to the Lifesaving Society?**

The Lifesaving Society has confirmed that they are supportive of these changes.

Lifesaving, lifeguarding and leadership courses will continue to be available through local providers. Please contact your local municipal pool, YMCA, summer camp, school, college or university. You can also locate a course near you on the [Lifesaving Society](#) website.

## **Q13: Why are Class C pools not included in this regulatory change?**

Public splash pads, wading pools and water slide receiving basins, known collectively as Class C facilities do not require lifeguard supervision. Lifeguard supervision is only required when they are operated in conjunction with a public pool.

Wading pool operators are required to have an attendant present at all times of operation and the attendant should be a minimum of 14 years old but does not have to be a lifeguard. The attendant must possess a standard level first aid certificate and be trained in emergency procedures.