

**Ministry of Health
and Long-Term Care**

Public Health Division
Public Health Policy and
Programs Branch
21st Floor, 393 University Avenue
Toronto ON M7A 2S1

Telephone: 416 314-5487
Facsimile: 416 327-7438

**Ministère de la Santé
et des Soins de longue durée**

Division de la santé publique
Direction des politiques et
des programmes de santé publique
393 avenue University, 21^e étage
Toronto ON M7A 2S1

Téléphone : 416 314-5487
Télécopieur : 416 327-7438



MAR - 2 2012

Ms. Belinda Cole
belinda11.cole@gmail.com

Dear Ms. Cole:

Thank you for your e-mail dated December 30, 2011 to the Honourable Deb Matthews, Minister of Health and Long-Term Care, regarding the legislative framework that applies to inspection of public wading pools. My sincere apologies for the delay in responding.

To clarify, public health inspectors are not employees of the ministry but work for the local boards of health and have authority to inspect a variety of public facilities for potential health hazards under the *Health Protection and Promotion Act*. In the case you have described in your community, the inspection was carried out by staff of the City of Toronto Public Health Department.

The Ministry of Health and Long-Term Care supports local boards of health by developing processes, tools and best practices for local programming. The "Operating Procedures for Non-Regulated Recreational Water Facilities Guidance Document" is an example of a tool that was developed in consultation with local boards of health and industry representatives. This document was posted on the Environmental Bill of Rights website for public comment and is available at (<http://www.ebr.gov.on.ca/ERS-WEB-External/displaynoticecontent.do?noticeId=MTA2ODc5&statusId=MTY0NDQ3&language=en/>).

The document was developed to assist public health inspectors in promoting the safe operation and use of non-regulated recreational water facilities, such as wading pools, spray and splash pads. Through the use of the guidance document, recommendations are provided to the operator of the facility in order to protect the health and safety of the users. However, if during an inspection a public health official identifies a potential health hazard, he/she may use his/her enforcement authority under the general provisions of the *Health Protection and Promotion Act* to address the particular issue.

If you would like to discuss this matter further, please feel free to contact me directly at (416) 212-4873.

Sincerely,

Nina Arron
Director