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Lifeguard Legislation in Greece

Stathis Avramidis

Legislation dealing with lifeguards can have a major impact on all aspects of aquatic safety, including employers and employees, certifying organizations, local authorities, and swimmers. The purpose of the present paper was to critically evaluate legislation in Greece related to lifeguarding. Results show that although lifeguarding is mandatory by law, changes need to be made to focus on training and examination standards, the name and meaning of the lifeguard qualification, and the establishment and operation of lifeguard agencies and aquatic facilities.

Drowning is a leading cause of death and a serious health problem world wide (e.g., Avramidis & Butterly, 2008), but research is less able to reveal why this happens. Some have proposed that the outcome of drowning might be attributed to such factors as the actions of the rescuer or the casualty, characteristics of the place in which a drowning occurs, or the circumstances under which it occurs (Avramidis, Butterly, & Llewellyn, 2007, 2009a, 2009b, 2009c, 2009d; Avramidis, McKenna, Long, Butterly & Llewellyn, in press). Therefore what has been proposed as one “solution” to the drowning problem might also hide its actual causes. Lifeguard legislation was identified as one of the subcategories of the circumstances of occurrence surrounding drowning incidents (i.e., the fourth component of the 4W model), and therefore problems with the legislation or its enforcement may be part of the problem (Avramidis, Butterly, & Llewellyn, 2007).

In Greece, lifeguarding abides by rules set up by governing authorities. These rules are statutory, either by royal decrees, decree laws, governing newsletters, or governing modifications issued in the governing newspaper of the Greek democracy. All these types of publications constitute the law in Greece. These rules are usually presented in the form of an article. The most recent rules cancel or supplement the older ones. The rules and articles are circulated by facsimile and internal correspondence to all the related governing offices. Then these offices are responsible for forwarding them to all the appropriate parties. In terms of beach lifeguarding, such offices are all the local port police offices of the Coast Guard. In terms of spa, pool, and waterpark lifeguarding, such offices are the local governing health departments. Finally in terms of the legal obligations in cases of serious injury or death, it is the local civil police of each area. All these authorities have direct communication with everyone who is obliged to obey the rules (i.e., private lifeguard

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agencies with government approval to operate and certify lifeguards, professional lifeguards, and local aquatic facilities).

In Greece, different legislative regulations apply to lifeguarding. Beach lifeguarding is legislated in terms of lifeguard employment, training and examination criteria for lifeguards, lifeguard instructors and directors of lifeguard agencies, establishment and operation of a lifeguard agency, and an aquatic facility (Decree Law, 2000). Pool, spa and waterpark lifeguarding legislation is established in terms of the number of lifeguards on duty, the required equipment, and the certification (Royal Decree, 1973; Legislation of Greek Democracy, 2009a; 2009b). Finally, the Penal Code provisions 306 and 307 apply to every qualified rescuer who is either on or off duty at the place of the aquatic emergency in terms of rescue (Farsedakis, 1995; Kontaxis, 1987).

Given that legislation is the foundation upon which all lifeguarding policies and procedures are built, poorly-conceived laws or ineffectively-enforced regulations are likely to have a number of serious, interrelated, and multidimensional negative consequences for bathers, aquatic safety professionals, and aquatic facilities in Greece. For example, when the legislation allows lifeguard instructors to be people who have no previous education on lifeguarding, then lifeguard trainees may not receive the highest standard of training and, therefore, may not be able to be effective in terms of prevention, rescue, and treatment during an aquatic emergency. Similarly, when the legislation allows a facility to hire an insufficient number of lifeguards and to provide them with insufficient or inappropriate rescue equipment while on duty at that aquatic facility, then it is likely that they may not be able to respond as effectively in an aquatic emergency as they could if there were sufficient numbers with appropriate equipment (Avramidis, 2008b). Collectively, one could assume that drowning deaths in Greece, which are double the European Union average rate (Sabatina & Andreana, 2002; World Health Organization, 2002), occur partially because of various legislative “errors.”

Consideration of the above legislative issues raises a number of questions about the current legislation of lifeguarding in Greece. How does lifeguard legislation affect aquatic safety professionals, bathers, and aquatic facilities? What are the specific weaknesses of or “loopholes” in lifeguard legislation that might lead to greater risk of drowning or an aquatic injury? Are there recommendations that could be made to optimize the effectiveness of lifeguarding legislation?

The implications of a poorly-conceived law or an ineffectively-enforced regulation represent issues that should be considered seriously. They clearly merit a critical evaluation followed by evidence-based recommendations for several reasons. First, errors that affect all aspects of lifeguarding can be detected and could be corrected (e.g., lifeguard teaching, certification issues, terms of employment, hiring and prevention, better operation of lifeguard schools, and aquatic facilities). Second, errors that have lead to drowning and other aquatic related injuries also are able to be detected and erased or eliminated. Finally, such a critical evaluation could be vital, because faulty or risky practices in terms of prevention, rescue, and treatment in the operation of local aquatic authorities may be identified and corrected. The aim of this present review is to summarize and critically evaluate Greek legislation that relates to lifeguarding and aquatic safety and subsequently to suggest recommendations for improvement.

Beach Lifeguarding Legislation

Legislation on lifeguarding in Greece has occurred in two time phases. The first legislative reference to beach lifeguarding was dated in 1976. Some of its provisions suggested that each lifeguard should be responsible for 200 m of coast. The prerequisite criteria for the establishment of a lifeguard agency were to employ a water safety instructor qualified by the Institute of Qualified Lifeguards (i.e., the first such organization founded in Greece) or the Hellenic Red Cross and a qualified first aider. Furthermore, any person holding a water safety instructor and a first aid qualification could be the director and the instructor of a lifeguard agency. Finally the original legislation suggested that each agency could provide certifications for “Non-Swimmers,” “Swimmers,” “Probationary Lifeguards,” “Lifeguards,” “Assistant Instructors,” and “Instructors” (Royal Decree, 1976).

In 2000, the Ministry of Commercial Navy replaced the previous legislation with the Decree Law (2000). This was done in an effort to update the lifeguard profession under more contemporary water safety demands and practices. The reader will note in the following sections that a careful inspection of the 2000 legislation reveals that at least 16 provisions contain possible errors or contribute to lifeguarding problems that may put both lifesavers and swimmers at increased risk of injury or drowning (Table 1).

Pool, Waterpark, and Spa Lifeguarding Legislation

Three provisions from the legislation related to pool, waterpark and spa lifeguarding are worth mentioning in the present review (Table 2). The older one is the Royal Decree (1973), which deals with pools and waterparks. The other two deal with lifeguarding at tourist accommodations and spas (Legislation of Greek Democracy 2009a; 2009b).

Greek Penal Code

Two provisions of the Greek Penal Code apply to professional lifeguards, qualified bystanders, and amateur lifesavers (Table 3). More precisely, these provisions describe the legal implications that apply to qualified lifeguards who have to respond in an emergency while on duty, to qualified lifeguards who have to respond to an emergency outside their place of duty and, finally, to non-qualified (amateur) lifesavers who have come across an emergency (Penal Code provisions 306 and 307; Farsedakis, 1995; Kontaxis, 1987).

Discussion

The present paper summarizes and critically evaluates the legislative regulations relating to lifeguarding in Greece. As a result, I have reviewed a number of provisions related to beach, pool, spa, waterpark lifeguarding, and the legal implications of the rescuers. As documented in the tables, these regulations apply to lifeguard agencies, professional lifeguards, qualified bystanders, and aquatic facilities. Given the numerous legislative rules, provisions, and laws since the official beginning of

Table 1 Beach Lifeguard Provisions of the Decree Law (2000) That Contain Errors

1.	"A single lifeguard should supervise 600 m of beach".	provision no 7
2.	"Graduates of Sport Science & Physical Education (SSPE) specialized in any aquatic sport or on lifeguarding are directly entitled to get job permission to work as lifeguards from the Greek Coast Guard without examinations."	provision no 5
3.	"Graduates of SSPE specialized in any aquatic sport or on lifeguarding are directly entitled to train beach lifeguards and to be the only legally appropriate persons for directing private lifeguard schools."	provision no 2
4.	"Scuba diving instructors are entitled to teach the practical part of a lifeguard course."	provision no 3
5.	"For participating in the exams of Greek Coast Guard in order to get job permission, candidates should be holders of a lifeguard qualification and a power boat handling qualification."	provision no 5
6.	"Lifeguard agencies can provide a lifeguard qualification to successful candidates."	provisions no 1 and 5
7.	"Whoever successfully passes the course of a Greek lifeguard school is getting a [lifeguard] qualification."	provision no 1
8.	"The job permission that the Coast Guard supplies to each qualified personnel from a lifeguard agency is valid for work for four years."	provision 5.9
9.	"Local authorities and aquatic facilities should equip the lifeguards with rescue cans and optionally with rescue tubes."	provision no 7
10.	"For the rescue of a drowning victim a lifeguard should be trained to perform defences, releases and body contact towing techniques."	provision 5.2.B.4-6
11.	"Syllabus of the teaching and exams should include basic weather forecasting."	provision no 5.11
12.	"The first aid kit of each lifeguard tower contains items and medication that a lifeguard, has not been trained neither is allowed by law to use."	provision 15A
13.	"In order to get permission to operate a lifeguard agency, a power boat and a dinghy with paddles are needed."	provisions 2.B.3 and 2.B.4
14.	"The law enforces the lifeguard presence only during the months of June, July and August."	provision 7
15.	The operation of training lifeguard schools does not suggest that each lifeguard candidate will get a training manual.	provision 3
16.	The lifeguard profession is not established in the tax office which means that the lifeguards are paid as untrained labour.	

Table 2 Pool, Spa and Waterpark Lifeguard Provisions That Contain Errors or Need Improvements

1. "One safety attendant (a.k.a. lifeguard) should be responsible in swimming pools for up to 300 bathers. If there are more than 300 bathers, then a second safety attendant is recommended."	Royal Decree, 1973, provision 21.2.a, p. 734.
2. "Each safety attendant should be equipped with a pole, two life preservers and a small boat with two paddles that should always be ready and available at the pool-side for an emergency."	Royal Decree, 1973, provision 23.4, p. 735.
3. "The person who will work as safety attendant at a swimming pool, should know lifesaving and resuscitation techniques and have a certificate of attendance or qualification to confirm this knowledge."	Royal Decree, 1973, provision 21.3, p. 734.
4. "For tourist accommodation with less than 50 rooms or area smaller than 100 m ² the Safety Attendant can be the person who is acting as Operations Manager given that he is appropriately trained. In swimming pools located in specific rooms, apartment or house, the Safety Attendant can be the Operations Manager who will be responsible for all the swimming pools regardless of their number. In these cases, the hotel is obliged to put, in a visible place, the warning sign that will inform the customers that the Operations Manager is the safety attendant at the swimming pool.	Legislation of Greek Democracy, 2009a, provision 2e
5. "One lifeguard [should be responsible] for each spa pool with maximum water depth 1.20 m who also has the necessary safety equipment."	Legislation of Greek Democracy, 2009b, provision 18.2

Legislation of Greek Democracy, 2009a, 2009b; Royal Decree, 1973

the lifeguard profession in Greece, the optimistic message of this review was that longitudinally, Greek law makers are concerned about improving aquatic safety but may make certain regulations that have unintended consequences. Therefore, my evaluation focuses on the intended and unintended consequences. From that evaluation I offer possible recommendations for improvement.

Guarding Responsibility Area

Provision 7 of the Decree Law (2000) recommends the presence of a single lifeguard for every 600 m of beach. Analysis of a questionnaire in Australia suggested that the best beach width that was safe for a single lifeguard to scan was 106 m, the furthest distance from the water's edge to the sea for optimum scanning was 98 m with the largest area that was safe to scan being 9.334 m², and the longest distance which can be safely scanned was 85 m (Fenner & Harrison, 2002). Although the authors did not present a detailed description of the methodological process by which they arrived at their figures or the number of questionnaires given, it seems sensible to suggest that the safe distances recommended by this Australian

Table 3 Rescuer's Implications Based on the Provisions 306 and 307 of the Greek Penal Code

In cases where a victim is drowning where a professional lifeguard is on duty, four possible things might happen:

1. First, if the professional lifeguard of the organized aquatic facility spots a drowning victim and does not initiate a rescue, then if the drowning victim suffers a serious health problem, the lifeguard could be sentenced to prison for ten years.
2. Second, if the victim drowns or dies and the professional lifeguards in the court comment that they did not attempt a rescue because they believed that the victim would eventually survive, then they can be sentenced to prison for 20 years.
3. Third, if the victim drowns, and the professional lifeguards admit that they did not attempt a rescue because they had accepted that this was going to be the outcome of the aquatic emergency, then they can be imprisoned for life.
4. Fourth, in cases where the professional lifeguards of an aquatic facility see someone in danger and perform a rescue with an unfavorable outcome, although they tried every possible thing they were trained to do, they are free from any charge if someone sues them.

In cases where a victim is drowning in the presence of a bystander (e.g., a qualified lifeguard or rescuer) who just happens to be present without being on duty in that aquatic area, two possible things can happen:

1. First, if the qualified rescuers spot the victim and do not try to help, although being aware that the victim is not personally in danger, then they are guilty and can receive a sentence of one year in prison.
2. Second, in cases where the qualified rescuers initiate rescuing a drowning victim but the outcome is death, they are not guilty.

Note. Adapted from Avramidis, 1998; Farsedakis, 1995; Kontaxis, 1987.

study should be applied until they are either validated or disproved by subsequent research. Thus, the Greek Decree Law appears to leave professional beach lifeguards exposed to danger because of the need to watch an area almost six times wider than recommended by the Australian survey. I would argue that even if there was no Australian research, the high drowning rates that occur in Greece might be linked to the extremely large area required to be supervised by single lifeguards. It seems reasonable to postulate that the high number of drowning deaths in the open water in Greece might be related to the lifeguard's inability to adequately supervise such wide areas as permitted in the current Greek law.

Provision 734 of the Royal Decree (1973) suggested that in swimming pools, one lifeguard may be responsible for up to 300 bathers; if there are more bathers, then a second safety attendant is recommended. A careful evaluation of this provision shows that with the existing legislation, it would be almost impossible to require more than one lifeguard on duty in any existing Greek swimming pool. If we look at possible swimming pools where a lifeguard can work, such as an Olympic size swimming pool 50 m long with ten lanes, we can realize that in order to have 300 active lap swimmers, one bather must be placed every 1.6 m apart in each lane. Even naïve readers will realize that this distance is too crowded for any

competitive swimming training or recreational lap swimming because the swimmers would simply be too close together. Similarly, recreational bathers could not enjoy their swimming experience if packed that closely together. Therefore, because it is highly unlikely that any swimming pool in Greece could accommodate such a large number of bathers or swimmers on any regular and safe basis, the aquatic facilities that abide by the legislation so that they do not have to pay extra money for hiring additional lifeguards may never provide either quality patron surveillance and safety for patrons. Likewise, the lifeguards will be ineffective due to their inability to stay vigilant (see Griffiths, 2003), cope with boredom (see Pia, 1984), and be inadequate in cases where more than one lifeguard is needed (e.g., spinal injury; see Avramidis, 2008b; Seghers, 2004; Sims, 1997; YMCA, 1997). I suggest that a good role model that could be followed is the British standard where the recommended swimming pool size to number of lifeguards ratio is a 25.0 m × 10.0 m area for 1-2 lifeguards and a 33.3 m × 12.5 m area for 2-3 lifeguards (Sports Council, 1996).

Lifeguard Job Description

Provision 2e suggested that “for tourist accommodations with less than 50 rooms or area smaller than 100 m² the Safety Attendant can be the person who is acting as Operations Manager given that he is appropriately trained” (Legislation of Greek Democracy, 2009a). The apparent rationale behind this was that a small business (e.g., hotels with less than 50 rooms or with a pool area smaller than 100 m²) could not afford financially to employ a person who will act only as a lifeguard, and therefore, the law allowed the facility to hire a person responsible for safety who also performs other responsibilities. This leads to a situation where all hotels employ someone qualified as a lifeguard but this person is rarely on duty at the pool. This is because the person who is qualified to act as a lifeguard (a.k.a., safety attendant) also is the operations manager who often is busy with administrative and other duties. The local Health Centre Authority that is responsible for providing a license to a hotel for operating a swimming pool gives a license when a lifeguard qualification or even a “certificate of attendance” in a lifesaving/resuscitation-related seminar is submitted, regardless of whether its holder has other non-lifeguard duties to fulfill during the daily shift. One remedy for this problem in those aquatic facilities with limited finances might be to employ someone with a Pool Attendant qualification who will work close to the swimming pool instead of serving as the operations manager (e.g., barman in pool bars, pool maintenance staff). I also recommend this happen only in aquatic facilities with low safety demands (e.g., small swimming pool, shallow water, and where parents should always supervise their children).

Qualifications for Lifeguard Employment and Providing Lifeguard Training

Provision 5 of the Decree Law (2000) suggested that graduates of universities with programs in sport science and physical education (SSPE) specializing in any aquatic sport are entitled to obtain permission from the Coast Guard to work as lifeguards without taking any examinations. Unfortunately, lifeguarding is not adequately taught in all Greek universities with sport science and physical education

programs. For example, the SSPE department of Athens University, when teaching aquatic specialties, does not spend a single hour in teaching basic life support or other lifesaving/rescue skills (University of Athens, 2001). Despite this fact, SSPE graduates from Athens University are entitled to work as beach lifeguards without formal related education (Colman et al., 2006). This provision should be altered to require that SSPE graduates applying to lifeguard should provide evidence of their qualifications and competence in basic life support and lifeguarding skills.

Provision 2 of the Decree Law (2000) suggested that graduates of SSPE specializing in any aquatic sport or lifeguarding are entitled to train beach lifeguards and are the only legally appropriate persons to direct private lifeguard schools (Colman et al., 2006). In the case of those who specialize in “lifeguarding” while earning an SSPE degree, this regulation seems appropriate and does not require any change. Because not all university SSPE departments in Greece have lifeguarding as a specialty I would recommend either that all SSPE departments should establish a lifeguarding specialty in their curriculum or that graduates be required to provide evidence of skills in basic water safety and lifeguarding. Because all the other aquatic specialties (e.g., swimming instruction, synchronized swimming, water polo, rowing, diving, water-skiing) may have only a few, if any, hours of academic training related to beach lifeguarding, this suggests that Provision 2 of the Decree Law (2000) is inadequately written. It should be used only as the starting point for establishing more formal academic education on lifesaving in those aquatic specialties in all SSPE university departments. My recommendation for improving this provision is that only those who can document that they specialized in lifeguarding should be allowed to provide training for pool, spa, waterpark, and beach lifeguards and to direct private lifeguard schools.

Provision 3 of the Decree Law (2000) suggested that SCUBA diving instructors are entitled to teach the practical part of the beach lifeguard course. As in the case of the SSPE graduates specializing in aquatic sports, instruction in SCUBA diving typically does not include many important skills for beach lifeguarding. Although SCUBA instructors teach some skills in common with beach lifeguarding (i.e., defenses, releases, and body contact towing techniques), they also omit many other critical lifeguarding elements such as zone and scanning techniques (see Lifesaving Society, 1999), spinal injury management (see American Red Cross, 2005; Avramidis, 1998; 2001), first aid related to the beach (see Lifesaving Society, 1999; Surf Life Saving Association Australia, 1985), and water safety awareness (see Eaton, 1995; Royal Life Saving Society Australia, 2001) that are not taught in any SCUBA diving syllabus. Therefore, I recommend that it is not appropriate for SCUBA diving instructors *per se* to train beach lifeguards unless they have separate training and certification.

Provision 5 of the Decree Law (2000) suggested that participants who successfully complete the exams of the Hellenic Coast Guard should be holders of beach lifeguard and boat handling qualifications in order to obtain a work permit to lifeguard. This provision is not particularly relevant for at least two reasons. First, in other countries with long lifeguarding histories, the only prerequisite for employment is the beach lifeguard qualification. A power boat handling certificate is required only at aquatic facilities where it is needed (e.g., on coasts with surf, tides). Along the Greek coast, few surf and tide conditions exist. Therefore, holding a power boat handling certificate is a requirement that is largely unnecessary and

actually discourages prospective lifeguard candidates from completing the rigorous training process rather than arming them with more appropriate lifeguarding skills with which to cope with an emergency. It is important to note that Greece is a small country with a very lengthy coast line, which creates a high demand for lifeguard labor (Avramidis, 2008c). It makes sense to recommend that this provision requiring a power boat handling certificate should only be an additional certification that a lifeguard student might earn, but that is mandatory only in those cases where it is needed due to the nature of the specific aquatic facility.

Certification and Cross Qualifications in Lifeguarding

Provision 1 of the Decree Law (2000) allows that whoever successfully passes out from the Greek lifeguard schools is qualified to work in coastal bathing locations. Unfortunately, this qualification also applies to employment in spas, pools, and waterparks as a result of the related legislation (e.g., Legislation of Greek Democracy, 2009a; 2009b; Royal Decree, 1973). Considering that the syllabus for each of the beach, pool, spa, and waterpark lifeguard qualification is different, I recommend that there should be separate certifications for each of the unique aquatic environments and facilities. Provisions should be made concerning the course prerequisites, syllabus, and assessment criteria, as well as for the names and the meaning of the various lifeguard qualifications, instead of maintaining a single qualification for multiple use, as happens now.

Provision 5.9 of the Decree Law (2000) states that candidates successful in the exams are provided with a lifeguard work license from the Hellenic Coast Guard that is valid for four years. This leads to a three-fold problem. First, it means that the qualification holders need to be reassessed only every four years by the Greek Coast Guard to renew their work permits for beach lifeguard employment. Countries with a longer water safety history (e.g., USA, UK, Australia, South Africa), a certification renewal is usually necessary every one or two years (American Red Cross, 2005; Eaton, 1995). There is evidence that six months after training only 6.8% of qualified personnel are able to perform a safe and effective resuscitation (Handley, 2007). The four years that are allowed in Greece is a very long period to guarantee continuing mastery of lifeguarding skills. Second, because the actual qualification never expires, and given that the assessment criteria are weak (e.g., the resuscitation assessment has only two oral questions: “When the heart stops beating, does the victim breath?” and “What is the ratio for chest compressions and rescue breaths for an adult?”), those willing to renew their job permits for beach lifeguarding do not have to attend a course to update their knowledge. Instead they can rely on what they remember from the primary training they had 4, 8, or even 12 years earlier because they do not want to pay extra money to the lifeguard agencies for re-training. Third, as shown above, due to the weakness of this Provision law, holders of a lifeguard qualification designated for coastal settings can also work at swimming pools, spas, and waterparks. Because there is nothing equivalent to the Hellenic Coast Guard examination procedure for examining the ability/knowledge of pool and waterpark lifeguards, those who hold a beach lifeguard qualification can work without re-training or reassessment for the rest of their lives in pools, spas, and waterparks.

I offer a number of suggestions to correct weaknesses in this provision. First, the Hellenic Coast Guard should not be allowed to serve as a work permit provider for lifeguards. Second, all lifeguards should renew the validity of their qualification by attending a formal retraining course every one or two years with an approved lifeguard agency. Third, retraining should meet the specific needs of the aquatic environment where the lifeguard will work (e.g., pool lifeguards must be trained and reassessed on pool lifeguarding and get a pool lifeguard qualification instead of a beach lifeguard qualification).

Lifeguard Training Syllabi and Curricula

Provision 7 of the Decree Law (2000) suggested the mandatory use of the rescue can and the optional use of the rescue tube by lifeguards. Ironically, despite this requirement in Provision 7, the use of rescue cans or tubes is not required as part of the syllabus of many Greek lifeguard agencies. The use of rescue cans or tubes are not assessed by the Greek Coast Guard when qualifying individuals to get work permits to become beach lifeguards. Instead, both the Greek lifeguard agencies' trainers and the Coast Guard examiners focus their primary training and assessment on nonequipment lifesaving rescue techniques (e.g., body contact tows, defenses, and releases). This is indeed surprising because the use of equipment-based rescues has become the standard in most countries worldwide.

As mentioned previously, provision 5.2.B.4-6 of the Decree Law (2000) indicates that part of the lifeguard training and assessment syllabus should include direct body contact tows, defenses and releases, but not the use of equipment-based rescues. This provision is outdated considering that in most contemporary international lifeguarding organizations (e.g., American Red Cross, 2005; Surf Life Saving Association Australia, 1985; Avramidis, 2008a), body contact rescue techniques are recommended only as a last resort for a lifeguard. Body contact techniques may be taught separately in lifesaving or water safety courses but not in lifeguard courses, although that practice is becoming relatively rare (American Red Cross, 2005). Finally, the use of lifeguard equipment (e.g. rescue tubes, rescue boards, power boats, or jet ski) is strongly preferred for ensuring the safety of both the victim and the lifeguard. Therefore, I strongly urge that the previous two provisions related to the teaching and use of body contact, nonequipment based rescue techniques, should be abandoned immediately. Based upon the practices of other contemporary lifeguard agencies, the primary training should be based on equipment-based rescue techniques, such as those that require the use of a rescue tube by lifeguards.

Provision 5(11) of the Decree Law (2000) indicates that the syllabus for teaching lifeguarding and the exams that assess competency in lifeguarding should include basic weather forecasting. In contrast, the training program that leads to a beach lifeguard qualification does not cover such elements as child and infant resuscitation, remediation for air way obstruction, and choking for all age groups, or formulating and using emergency action plans. I make the obvious suggestion to amend this provision by abandoning the weather forecasting requirement while including much more relevant and important topics such as infant/child CPR, airway obstructions, and emergency action plans in the syllabus.

Provision 15A of the Decree Law (2000) requires that each lifeguard tower should have a first aid kit. This seems like an obvious and necessary requirement. Ironically, however, most of the required contents of such a first aid kit can only be used by a doctor or a registered nurse, not by the normal lifeguard. Unfortunately, the same Provisional law, although suggesting that these particular contents should be in every first aid kit, does not require the presence of a doctor, nurse, or other certified health care professional who is entitled to use them. There are several possible suggestions for amending this provision. The first would be that all first aid contents that cannot be used by a lifeguard should be taken out of the first aid kit, unless the aquatic facility employs a nurse, doctor, or health professional (e.g., in waterparks). Alternatively, lifeguards should receive additional training that allows them to use appropriate elements of aquatic first aid kits.

Provisions 2.B.3 and 2.B.4 of the Decree Law (2000) allow a lifeguard agency to operate if the agency has, among other requirements, a power boat and a dinghy with paddles. Strangely, no syllabus element or exam criteria assess the ability of the successful candidates to use such equipment. Further, for using a power boat, successful lifeguard candidates need to receive separate training by another agency that specifically trains boat handling. Clearly, the law should either abandon the requirement that the lifeguard agencies have equipment that they are not able to use or, preferably, give the agencies permission to get prospective lifeguard candidates training for a separate boat handling qualification, where appropriate.

Provision 7 of the Decree Law (2000) requires that lifeguards only need to be on duty during the three summer months (i.e., June, July, and August). Because of the Mediterranean climate, the summer in most areas of Greece actually starts in May and ends in September. In some areas, the summer season lasts even longer (e.g., Crete island, Island of Rhodes). It would make sense that Greek law makers should increase the period for requiring lifeguards to be on duty from May to September and in some places into October. It might even make sense to individualize the need for lifeguards to be on duty at facilities based upon usage and climate.

Provision 3 of the Decree Law (2000) does not require that each lifeguard candidate get a training manual or have an alternative opportunity to access online digital documentation that has the advantage of being able to be updated on a regular basis. As a consequence of this Provision, each lifeguard agency typically only provides limited handouts to its lifeguard candidates because of the cost of publication. This introduces two problems. First, lifeguard candidates do not have access to sufficient written material. Second, written materials may be outdated and not always meet the lifeguarding standards of other countries with a long history in the fields of water safety education (e.g., USA, UK, Germany, Australia, Canada). For example, many of the existing Greek lifeguarding books cover outdated resuscitation protocols that have changed fairly rapidly over the past decade or two as a result of increased research and evidence-based practices. The same Greek lifeguarding manuals often emphasize rescue methods using non-equipment-based, body contact instead of using rescue equipment (Avramidis, 1998; Giatsis & Sabanis, 1983; Karakirios, 1998). I strongly urge the development of a new provision that will ensure that lifeguard agencies supply each candidate with a hard copy lifeguard manual or, even better, a cost-effective online digital manual approved by the governing authorities. The provision should include a requirement

that manuals must be kept up-to-date based upon a regular evidence-based revision process such as employed by the American Red Cross (2005) and other agencies.

Professional Lifeguard Training Requirements and Legal Expectations

Although lifeguards and qualified rescuers have legal responsibilities to perform rescues and suffer potential consequences when refusing to perform a rescue, because of their training and qualifications (Penal Code provisions 306 and 307; see Avramidis, 1998; Farsedakis, 1995; Kontaxis, 1987), their jobs are not recognized as an established profession by the Greek tax office. This means that they are paid lower rates, essentially as untrained labor. Because the tax office has not given an official tax code to the profession of “lifeguard,” someone who wants to work as a lifeguard works under the professional code of “untrained labor.” Because of the penal code consequences as well as the legal requirements that even off-duty lifeguards have the responsibility to provide professional services, this provision needs to mandate that the tax office recognize the lifeguard profession as an official professional occupation.

Two other legal provisions make suggestions about appropriate pool, spa, and waterpark lifeguard equipment. According to Provision 18.2, the spa lifeguard “should have the necessary safety equipment,” but it does not specify exactly what this equipment should be (Legislation of Greek Democracy, 2009b). On the other hand, according to Provision 735, each pool safety attendant should be equipped with a pole, two life preservers, and a small boat with two paddles ready and available for any emergency (Royal Decree, 1973). This requirement does not correspond with contemporary lifeguarding procedures that require defibrillators, spinal boards, oxygen cylinders, and rescue tubes. This provision recently has been slightly revised by subsequent governing regulations so that the small boat has been excluded, but the pole and the two life preservers are still the only acknowledged lifeguard equipment at pools, waterparks, and spas. Unfortunately, although lifeguard agencies advise pool owners and operators to buy modern equipment (e.g., rescue tubes, spinal boards, oxygen, defibrillators), many owners may not want to or be able to purchase expensive equipment and stick to what is mandatory. It would be logical that updated legislation should require a specific set of contemporary lifeguard equipment such as those described above be available to and used at all pool, spa, and water park facilities.

Provision 21.3 of the Royal Decree (1973) indicates that the person who works as a safety attendant at a swimming pool should know lifesaving and resuscitation techniques and have a certificate of attendance or a qualification to certify this. This provision has several weaknesses. First, by accepting a “certificate of attendance” as equivalent to a “lifeguard qualification,” each individual who does not want to pay for completing a lifeguard course can be eligible for employment after attending a brief seminar of only few hours in length without ever demonstrating actual lifeguarding skills. Second, some waterparks, in order to employ staff who can work for lower salaries, either employ unqualified individuals by relying on a single qualified lifeguard, who will be liable in court for whatever happens in the whole waterpark, or ask a lifeguard instructor to do a 4–6 hour “seminar” and confirm in

a letter that all staff who will wear the lifeguard uniform at the facility have been “trained” as the provision demands in lifesaving and resuscitation techniques. Third, anyone who has a beach lifeguard or assistant beach lifeguard qualification also can work in other aquatic non-beach settings. Lifeguards and local authorities believe that anyone qualified to work in open water can easily work in a smaller and more controlled aquatic environments (e.g., pools, waterparks, and spas). Unfortunately, the training syllabus with which they were trained as beach lifeguards may be irrelevant to the other aquatic workplace demands. In line with other recommendations I have made, I believe a revised provision should require separate specialized “pool lifeguard,” “waterpark lifeguard,” and “pool attendant” qualifications using a different syllabus from that for the “beach lifeguard” qualification.

No provision in any beach or pool lifeguard legislation recommends in-service or staff training. The safety of the bathers and patrons relies on the lifeguards’ ability to maintain skills and knowledge achieved during their initial training that might have taken place many years before the day on which an emergency situation arises, because currently their qualification never expires. No legislation in Greece requires renewal or retraining except for beach lifeguards certified by the Hellenic Coast Guard. The current legislation apparently assumes that lifeguards always will be ready for action without needing to be trained in site-specific emergencies. Other lifeguarding organizations in many countries have mandatory staff training (e.g., Cable, 1993; Ellis & White, 1994; RoSPA and RLSS UK, 1993; Wet’ n Wild, n.d.) that is the facility owners’ responsibility to conduct and maintain records of their staff performance. Many organizations and agencies even pay their lifeguard staff during the training time. It is time that Greek law adopts similar provisions for in-service training.

Greek Penal Code and Lifesaving Requirements

As mentioned earlier, Greek penal law requires that when someone is in danger, then a bystander has a humanitarian obligation to provide help, regardless of whether or not this bystander has training in rescue procedures (Avramidis, 1998; Farsedakis, 1995; Kontaxis, 1987). This means that if some imminent danger puts someone’s life at risk, and a bystander is aware of it and is able to help without placing himself at risk, then that bystander is obliged to help. If the bystander does not help the victim, the law may punish his or her failure to act with a custodial sentence of up to one year (provision 307 of the Penal Code). In contrast, a person trained as a lifeguard who tries to perform a rescue using their training and skill and who fails to save the life, is not regarded as having been guilty of neglect and is not charged (Koukourakis, 2004; 2008).

The law treats qualified lifeguards who work at the place where a drowning incident occurs differently. Apart from their moral duty to save a life, they have also a special legal duty to act as guarantors of the health and life of bathers. Because of this double responsibility, the governing criminal claim on them is much more severe. The following scenarios are possible under Greek law: First, if a lifeguard spots a drowning victim and does not initiate a rescue, the result of which the drowning victim suffers a serious health problem, that lifeguard may go to prison for ten years. The lifeguard also can be decertified following the decree of the Coast Guard in cases where he or she is convicted (Penal Code provision 307). Second,

lifeguards on duty can also be punished, not because they caused an injury, but because they did not prevent it as a result of their neglect. So, if a victim was in danger and eventually died from drowning, lifeguards who did not initiate a rescue can be accused of unintentional homicide (by default with a penalty that lasts for up to 20 years) or intentional (by default with a lifelong penalty), if for some reason the lifeguards intentionally neglected to rescue a victim. Third, lifeguards who, after having tried to perform a rescue to the best of their own skill and experience, fail to accomplish a rescue, are not regarded as being neglectful and are not charged. Although these consequences may seem harsh, the expectations of lifeguards are in line with those of other professionals. The only recommendation is that lifeguards should legally be considered to be professionals.

Conclusions

I conducted this review to critically evaluate the lifeguard legislation in Greece and, where merited, to offer suggestions based on both logic and practices by lifeguard organizations in other countries. One positive observation that I drew from this review of lifeguarding was that in Greece, there are a number of pieces of lifeguarding legislation in place. The legislation dates back to 1976 and has been updated during the past decade. Based upon my review, it appears a number of provisions of the legislation are misplaced. In each case, I have made suggestions in an effort to provide constructive help for Greek law makers. Among some of the suggestions, a major recommendation was that beach, pool, spa, and waterpark lifeguard syllabi and certifications should be clearly distinguished from each other in Greek legislation and be updated regularly. I suggested changes to the terms and conditions for founding a lifeguard agency, for the training and assessment of lifeguards, lifeguard directors and instructors, for the type and quantity of training and rescue equipment, the need for updated print or digital electronic lifeguard training manuals. I also proposed the need to separate lifesaving techniques in favor of emphasizing the use of more contemporary equipment-based lifeguard rescue techniques as well as changing the responsibilities of a lifeguard in a given aquatic area according to the size of the supervised area and not simply the number of bathers. Finally, I proposed that separate legislative regulations should require different training, syllabi, and certification names (e.g., pool safety attendant, pool lifeguard, waterpark lifeguard, beach lifeguard, head lifeguard, boat handling, lifesaving award, life support award, defibrillation award, spinal injury management award) based upon the unique requirements of different aquatic facilities and environments.

References

- American Red Cross (2005). *Lifeguarding today*. Yardley, PA: StayWell.
- Avramidis, S. (1998). *The manual of the Greek lifeguard*. Athens: Anavasi.
- Avramidis, S. (2001). *The specialized lifeguard*. Athens: European Lifeguard Academy.
- Avramidis, S. (Ed.) (2008a). *Handbook on safety & lifesaving*. Athens: Author.
- Avramidis, S. (2008b). Lifeguard operations: Summary of practices at the Athens 2004 Olympics. *International Journal of Aquatic Research and Education*, 2(1), pp. 47-55.
- Avramidis, S. (2008c). Letter to the Editor. *International Journal of Aquatic Research and Education*, 2(2), 103-105.

- Avramidis, S., & Butterly, R. (2008). Drowning survival in icy water: A review. *International Journal of Aquatic Research and Education*, 2(4), 355-362.
- Avramidis, S., Butterly, R., & Llewellyn, D. (2007). The 4W model of drowning. *International Journal of Aquatic Research and Education*, 1(3), 221-230.
- Avramidis, S., Butterly, R., & Llewellyn, D.J. (2009a). Drowning incident rescuer characteristics: Encoding the first component of the 4W model. *International Journal of Aquatic Research and Education*, 3(1), 66-82.
- Avramidis, S., Butterly, R., & Llewellyn, D.J. (2009b). Who drowns? Encoding the second component of the 4W model. *International Journal of Aquatic Research and Education*, 3(3), 224-235.
- Avramidis, S., Butterly, R., & Llewellyn, D.J. (2009c). Where do people drown? Encoding the third component of the 4W model. *International Journal of Aquatic Research and Education*, 3(3), 236-254.
- Avramidis, S., Butterly, R., & Llewellyn, D.J. (2009d). Under what circumstances do people drown? Encoding the fourth component of the 4W model. *International Journal of Aquatic Research and Education*, 3(4), 406-421.
- Avramidis, S., McKenna, J., Long, J., Butterly, R., & Llewellyn, D.J. (in press). Crucial findings from the 4W model of drowning for practical and teaching applications. In P-L Kjntlie & R. Stallman (Eds.), *Abstract Book of the Biomechanics and Medicine in Swimming Congress*. Oslo: Norwegian School of Sports Sciences.
- Cable, S. (1993). Lifeguard in-service training: Who benefits? *Park & Recreation*, 28(11), 40-42.
- Colman, V., Avramidis, S., Pascal Gomez, L.M., Vervaecke, H., & Persin, U. (2006). Life-saving as academic carrier: International perspectives. In J. Bierens, (Ed.), *Handbook of Drowning* (pp. 176-183). Heidelberg: Springer.
- Decree Law (2000). Determination of requirements for establishment and operation of lifeguard schools. Determination of requirements for permission of lifeguard certification from the Coast Guard and determination of the lifeguard responsibilities on duty. Determination of mandatory requirements for lifeguard employment in organized or not beaches for the protection of bathers in the aquatic area. *FEK of Greek Democracy*, 18, 269-278.
- Eaton, D. (1995). *Lifesaving*. Warwickshire: The Royal Life Saving Society.
- Ellis, J.L., & White, E.J.E. (1994). *National pool and waterpark lifeguard/CPR training*. Sudbury, MA: Jones and Bartlett Publishers.
- Farsedakis, I. (1995). *Interpretation of the penal code*. Athens: Author.
- Fenner, P.J., & Harrison, S. (2002). Visual scanning in surf lifesaving Australia: Safest practice. In J. Bierens & H. Knappe (Eds.), *World Drowning Congress*, (p. 154), Amsterdam: Stitching Foundation Drowning.
- Giatsis, S., & Sabanis, M. (1983). *Swimming technique- teaching- training- lifeguarding*. Salto Publisher: Athens.
- Griffiths, T. (2003). *The complete swimming pool reference* (2nd ed.). Champaign, IL: Sagamore Publishing.
- Handley, A. (2007, January). Talking technical. *Lifesavers*, 15.
- Karakirios, D. (1998). *Lifeguarding*. Thessaloniki: Author.
- Kontaxis, A. (1987). *Penal code*. (3rd ed.), Athens: Author.
- Koukourakis, D. (2004). The penalty confrontation of the lifeguard's obligations European Lifeguard Academy. In S. Avramidis, J. Tritaki, and E. Avramidou (Eds). *1st International Lifeguard Congress Abstract Book* (p. 30). Athens: European Lifeguard Academy.
- Koukourakis, D. (2008). The legal confrontations of the Greek lifeguard. In S. Avramidis (Ed.), *Handbook on Safety and Lifesaving* (pp. 381-382). Athens: Author.

- Legislation of Greek Democracy (2009a). Operational arrangement of tourist accommodation and licensing of swimming pools under the responsibility of the Greek National Tourism Organisation (1st July 2009, legislation number 3766). *Governing Newspaper of Greek Democracy*, 1(102), 5237-5242.
- Legislation of Greek Democracy (2009b). Determination of the requirements for the operation of Spa Treatment Units, the Tourism Spa Centers and Aqua Spa Centers, as well as the financial charges, the procedures and the necessary documentation for their licensing (2nd June 2009, legislation number 9833). *Governing Newspaper of Greek Democracy*, 2(1055), 13461-13469.
- Lifesaving Society (1999). *Alert, lifeguarding in action* (2nd ed.), Alberta: Author.
- Pia, F. (1984). The RID factor as a cause of drowning. *Parks & Recreation*, 19, 52-55; 67.
- Royal Decree (1973). Regarding swimming pools, guidelines for construction and their operation. *FEK of Greek Kingdom*, 87, 725-737.
- Royal Decree (1976). Establishment and operation of lifeguard schools and responsibilities of the lifeguard and the owner of the beach. *FEK of Greek Democracy*, 698(76), 1-25.
- Royal Life Saving Society Australia (2001). *Swimming and lifesaving, water Safety for all Australians* (4th ed.). Sydney: Harcourt.
- Royal Society for the Prevention of Accidents & Royal Life Saving Society UK (1993). *Safety on British beaches, operational guidelines*. UK: Author.
- Sabatini, A., & Andreana, G. (2002). Deaths by submersion and drowning in the countries of the European Union: Differences in genders and per country. In J. Bierens & H. Knappe (Eds.), *World Drowning Congress* (pp. 91). Netherlands: Stichting Foundation.
- Seghers, G. (2004). Research and development: Two person techniques for management of a suspected spinal injury casualty. In S. Avramidis, J. Tritaki, & E. Avramidou (Eds.), *1st international congress of lifeguarding of European lifeguard academy* (p. 10). Athens: European Lifeguard Academy.
- Sims, B. (1997). *Pool lifeguard training manual*. Broom: The Royal Life Saving Society UK.
- Sports Council (1996). *Safety in swimming pools*. Wetherby: Health and Safety Commission and Sports Council.
- Surf Life Saving Association Australia (1985). *Surf life saving training manual* (27th ed.). New South Wells: Author.
- University of Athens (2001). *Undergraduate studies guide of the Department of Sport Science & Physical Education*. Athens: University of Athens.
- Wet 'n Wild (undated). *Operations training resource manual*. Orlando, FL: Author.
- World Health Organization (2002). *The injury fact book. A graphical overview of the global burden of injuries*. Geneva, Switzerland: Author.
- YMCA (1997). *On the guard II: The YMCA lifeguard manual* (3rd ed.). Champaign, IL: Human Kinetics.