



## Health and safety

**The purpose of this document is to present to you the BCU's Health and Safety Policy. As a National Governing Body the BCU has a responsibility for Health and Safety. The policy provides coaches, Clubs and Centres operating and running activities in the name of the BCU with guidelines to support and ensure that the safety of BCU members and members of the public with whom they come into contact receives appropriate attention and consideration in all circumstances.**

At the heart of Health and safety Policy and indeed safety management in general is 'Risk Assessment'. Mention of the words 'Risk Assessment' conjures up all sort of images in peoples minds and central to this is dread and fear. Dread at the mere thought of having to undertake the work, Fear at the thought of the essence of our sport being eroded by societies desire to remove risk from everything that moves.

As a National Governing Body and as Coaches, Club Officials and Centre Management we need to achieve an acceptable balance in terms of safety management. It is clear to us all that we have a duty of care to others with whom we come into contact. We can only be sure that we are meeting that duty if we take steps to analyse the risks involved while participating in canoeing events and activities.

That said we do need to keep things in perspective. As paddlers, coaches, club and event managers we are all driven by a desire to take part, compete or assist others in doing so and rightly, given that we do so (in the main) voluntarily we wish to see such opportunities maximised. Spending lots of time on administration is often seen as counter productive and as such never makes it to the top of the Urgent and Important file. Nonetheless ensuring that we address the issue of safe participation is important - risk assessment is fundamental to this. We can keep it in perspective however if we understand the fundamentals of risk assessment and are able to be efficient, comprehensive and concise when carrying out risk assessments.

By way of further support the document provides information on risk assessment and the recording of risk assessments. The information is presented so that the volunteer coming to the task of producing a risk assessment from scratch is able to understand the basic, essential background and theory along with template outlines to allow them to produce an effective and living document to support participants and events.

Those of you who already have a clear understanding of risk assessment may not need to dwell for long on the information presented; however, you may wish to view the templates in final section of the document. These may remove some of the work needed to produce your own risk assessment and perhaps importantly for us all they may assist in maintaining consistency in their production and ensure that risk assessment is a means to an end - not an end in itself.

**The contents of this document are set out as follows:**

1. Introduction
2. BCU Health and Safety Policy
3. Outline Health and Safety Policy

4. BCU Events
5. Safety Principles
6. Notification of Accidents
7. Insurance
8. Support References

In addition you may wish to consult the following BCU Documentation to assist you in understanding health and safety issues and in applying risk assessment to either your own or your club activities...

Not every type of canoeing is a 'risk' activity. No adventure sport can ever be totally safe. Respect and admiration is due to those who, knowing their sport and their abilities push back the frontiers of feasibility by tackling ever harder grades of water; or choose to explore in wild and lonely places; or undertake solo paddling be it in one of these contexts, or simply to find their own level of self fulfilment.

We do not agree with those who regard the occasional inevitable loss of life in these circumstances as disastrous for the sport. Nor that those who choose these outlets - knowing what they are at - are acting in an irresponsible manner. Far from it. They are keeping alive - in fact they are furthering - the essential spirit in mankind to advance against the elements.

We are, however, faced with a dilemma. We all want and demand 'freedom'. In reality, however, if the exercise of that 'freedom' causes us harm, a growing number of people then want to apportion blame. Some would seek recompense against those who permitted or set up the activity. The media joins in this process. In consequence, incidents are distorted beyond recognition, and the dividing line between freedom of action, and responsible provision, becomes difficult to define.

Numerous examples of this process can be cited, sometimes leading to increased legislation.

Some forms of canoeing have an inherent risk factor. Regrettably, when a tragedy does occur, the media tends to react out of all proportion to the actual very low incidence of fatalities within the sport. The difficulty for the Union, as the Governing Body, is to tread the border zone of taking reasonable precautions, yet retaining the adventurous nature of those aspects of the sport which carry an element of danger.

**Our order of priority in deciding whether action of any kind should be taken, is:**

1. That no one should lose their life or be seriously injured, if this could have been avoided through the implementation of simple warnings or safeguards.
2. The BCU and its coaches work to ensure that those taking part in canoeing are able to do so protected and kept safe from harm while they are with staff, coaches and / or volunteers. This is particularly true in respect of children and vulnerable adults.
3. That unnecessary adverse publicity should not accrue to the sport, hastening the day when further restrictive legislation may be applied, or giving excuse to those who would even now use any reason to bar our activity.
4. That where reasonably possible, grounds for a claim that would invoke our insurance policy be avoided, in order to ensure the continuance of this benefit as a final compensation to an injured party, at a reasonable cost to the membership.

Those staging canoeing events are asked therefore, to take such reasonable precautions as are practicable in the light of this policy.

## **BCU Events**

The BCU recognises the following events and activities:

1. British Canoe Union events and activities. These are those occasions which are directly organised, or directly administered, or are directly within the control of the Union, or its Committees, which directly necessitate the use of their services or resources. Thus, this definition will include all events and activities organised or administered or which are within the control of the Regions, or Sports, or Recreation Committees, and refers to all competitive events which are ranked, divisionalised, or otherwise classified by the Union or its Committees together with Tours, Rallies and other miscellaneous activities.
2. Courses run by suitably current members of the BCU Coaching Scheme.
3. Other events run by currently affiliated clubs. Such events should be listed in the club's Newsletter or Diary.
4. Events organised by ad-hoc groups of members are not 'BCU Events' unless specific application is made for them to be so recognised, and agreement is received in writing from the Director of Coaching, who will consult with relevant officers or committees of the Union, as necessary, before offering such recognition.
5. The inclusion of events on the BCU Calendar or their notification in BCU Publication does not, in itself, imply BCU recognition or indemnity under the Union's Third Party Liability Insurance Policy.

### **Safety Principles**

There is a responsibility in law for organisers of activities to see that reasonable precautions are undertaken to ensure the safety of participants.

Where obvious hazards exist, therefore, it is expected that organisers will undertake to identify and take such precautions as seem appropriate and reasonable in the circumstances to provide for the safety of event organizers, volunteers and participants.

These could include:

- Ensuring that a risk assessment of the event or activity has taken place to establish that any planned activity or event is indeed safe and reasonable.
- That any identified hazard can be controlled, that monitoring activities for the event or activity are in place and that established cut off procedures are in place.
- Giving factual information to participants concerning the particular nature of any hazards which may exist. This could be by way of ensuring access to and knowledge of the BCU Statement of Participation
- Ensuring that each participant has signed an acknowledgment of risk. See appendix 2.

These actions do not absolve the organiser from his or her responsibility to undertake reasonable precautions, nor does it remove the participant's right in law to sue for damages should negligence be involved. It does, however, affirm that the attention of the person has been drawn to the hazardous nature of the activity, if such is involved.

- Ensuring safe Codes of Practice that cover all reasonable measures to protect all those taking part in Canoeing activities keeping them safe from unhealthy and unwanted advances and role modelling.

Where 'open water' is involved in a competitive event or rally (other than tours - by groups of paddlers trained and equipped for the venture or under the leadership of suitably qualified current BCU Coaching

Scheme members): the provision of sufficient safety craft for any situation which could develop in the conditions in which the event, held in part or in whole on open water, is to be run.

Where 'white water' or the shooting of weirs, is involved: the wearing of buoyancy aids and crash helmets is mandatory for slalom and wild water racing, and should be strongly advised for other events where an obvious risk is present.

Participation should be limited to those who declare themselves competent to handle the conditions, taking into account the type and amount of safety cover it is practical to provide at sites of particular difficulty.

Suitable safety-cover for events involving weirs or rapids of particular difficulty could range from having reliable, competent canoeists strategically placed, to having trained bank-side rescue parties or divers on hand.

### **Other Problems**

Where electrical or mechanical apparatus is used in the running of an event, care should be taken to ensure that it is operated in accordance with the manufacturer's recommendations.

### **Specialist Committee Responsibilities**

Each Specialist Committee should keep under review its guidelines regarding the provision of safety precautions which it considers reasonable for its particular discipline.

### **Insurance Benefits and Procedures - Third Party Liability (Perkins Slade)**

Third party insurance cover is a benefit of BCU membership and applies to; individual BCU members, resident in the UK, affiliated clubs and registered members of affiliated clubs resident in the UK. The limit of indemnity any one accident is to a maximum of £5,000,000 for a claim arising from loss, injury to, the death of or damage to the property of a third party. The insurance is valid for any canoeing or related activity worldwide. Member to member liability is included as are members of the coaching service acting in an instructional capacity. This includes paid coaching work but only if this coaching takes place within the BCU to members or clubs (see professional indemnity).

Irresponsible or careless leadership will not invalidate the third party insurance. The law requires us to take reasonable care for the safety of others. The moral code clearly also implies this duty. In practical terms, if a large claim occurred, the renewal premium could be prohibitive. There is therefore a duty on all of us to ensure that it remains at modest cost to the Union for the benefit of the member who may become the genuine victim of circumstance. It is important that the policy is not invoked through irresponsibility.

### **BCU Liability Insurance - Professional Indemnity (Perkins Slade)**

The BCU Civil Liability policy wording has been amended to automatically include all registered coaches when providing tuition, whether for a fee or not, as an individual. Where any such coach is operating as a business by using a business or company name, separate insurance arrangements must be made.

### **Notification of Accidents and Injuries**

On 26 April 1999, the civil Justice system was amended to reflect a number of changes now known as the Woolf Reforms, the purpose being to resolve disputes more quickly but without necessarily having to resort to litigation. For Personal Injury claims in particular, the consequences for Sport and Recreation are considerable.

If an individual (the claimant) sustains an injury he or she has up to 3 years to issue a claim (formerly a writ) against another individual or club (the defendant) considered to have been negligent in causing the injury. The defendant has only 21 days to acknowledge receipt of the claim and a further 90 days either to accept or deny liability and, in the case of a denial, to produce supporting documentation and evidence.

Failure to observe these time scales could give Insurers an opportunity to limit or even deny indemnity which, of course, could have serious ramifications for the defendant. That being the case, all those involved in Sport are now required to report (to their Insurance Brokers) every incident, particularly those involving a personal injury, which could give rise to a subsequent claim. This will ensure that detailed records are kept, so that in the event of a claim a defence may be more quickly and accurately mounted.

This being the case we would encourage clubs, every member, particularly coaches, to note in detail instances of injury to students. Obviously, there is also a responsibility on every individual member to pass on relevant information regarding any incident.

See Appendix 3 for an example incident report form. Forms are also available from the Coaching Office and from the BCU Website to allow you to record such incidents.

We would further encourage information of this nature, on the said forms, to be forwarded to the BCU Coaching office. As well as being able to ensure that the information is appropriately archived it will provide a database of injuries and incidents to support developments in best practice, technique development. Indeed it will ensure that practitioners, not insurance companies dictate safety policies.

All paddlers and Coaches have a responsibility towards safety management through the appropriate application of 'risk assessment' practices appropriate to the activity they are taking part in and or leading.