

Ontarget

The Activities Industry Mutual Newsletter

October 2007



Cover as close to cost...

It is recognised in the more forward thinking insurance circles that modern mutuals can provide industry specific groups with stable cover closer to cost than any traditional commercial insurance product.

AIM is unique in the Activities Sector in that it provides a comprehensive package of cover to its members including:

- Employers' Liability
- Public and Products Liability
- Professional Indemnity
- Property and Business Interruption

AIM is a 'not for profit' company limited by guarantee, owned and controlled by its membership, which includes charitable and commercial operations right across the outdoors spectrum. AIM's membership elects the Board, which appoints the Managers, charged with providing the Mutual with all the services of an insurance company. No undisclosed commissions are paid by the Mutual and any surplus (profit) belongs to and is returned to its members.

AIM retains risk for the lower level claims, which it provides discretionary indemnity for in accordance with the Cover Wording. Above this there is a comprehensive Excess Insurance Policy placed with leading global insurer Mitsui Sumitomo to protect each member against large claims and attritional losses, which

fully protects the Mutual's assets against the consequences of any adverse claims circumstances. As AIM's assets grow, so will its risk retention be prudently increased for the further benefit of its members.

Unlike other insurance products, with AIM there is complete alignment (as opposed to a conflict) of interests with the member. It is run for its members, who, through the elected board, own and control the Mutual and any profits it makes. AIM's assets are fully protected by its excess insurance arrangement, which includes a profit share agreement in favour of the Mutual.

AIM's management team has a proven track record and an unparalleled reputation for innovation and success in the development and management of mutuals in the UK and Australia.

This all adds up to an unbeatable insurance product for the Activities Industry. For further information please contact us, or better still, speak to an AIM member.



ACTIVITIES
INDUSTRY
MUTUAL



A Message from the Chairman

Excellent news! The AIM Insurance Scheme has now converted and is running as a fully fledged mutual. Policyholders in the scheme have converted their policies to membership of AIM, which is now providing cover to over 100 members.

As a mutual in the Activities Sector, AIM uniquely provides cover designed to meet members' needs. We have the support of 'AA' rated global insurer, Mitsui Sumitomo Insurance Underwriting at Lloyd's Ltd, who provide AIM with high level insurance in such a way that our assets are fully protected in the event of an adverse claims experience.

In a recent behind the scenes update, AIM's Board voted to follow key individuals in the management team who migrated from their former employers to Regis Mutual Management Ltd. The management team carries over a very successful history of developing and managing mutuals in the UK and overseas. The CTBS management role in association with Regis continues unchanged.

AIM can deliver benefits that other insurers in the sector simply cannot match and is poised for further growth. Its presence in the Outdoor Sector can provide stability through the ups and downs of the insurance cycle; it is essential that activities providers from the small to the large support our Mutual to secure a better future for us all.

Warm regards,

Andrew Gardiner

Andrew Gardiner, Chairman

New standards for expeditions outside the UK

Dr Julian Morris of Hextalls Travel, Sport and Leisure Group provides an update on new developments relating to expeditions outside the UK.

Do you organise activities, expeditions, visits or field work outside the UK?

If so, a new British Standard launched in April 2007, *BS 8848: A Specification for adventurous expeditions, visits and fieldwork outside the UK* will need to be considered. The central theme is that of accountability; compliance rests with the venture provider with the aim of reducing the risk of injury or illness to participants.

The proposed definitions of adventurous activity include situations where there is a deliberate element of risk requiring specialist skills for its safe management. Specifically, outdoor activities mimicked artificially, or indoors, are included, for example rock climbing.

This standard covers all issues of planning, management and evaluation, together with providing advice on specific, potentially hostile environments, whether covered by other guidelines or not. In addition, third party provider issues (suppliers) are addressed in terms of their own financial attachment, safety, experience and membership of their relevant trade associations.

Many of the standard's specifications should be achieved without any extra work; they are simply good practice. However, aside from the positive effect of inclusion, the standard will undoubtedly provide a yardstick by which any claim against you can be measured. As with any activity there is no substitute for preparation, preparation, preparation, together with good record keeping.

For those of a more 'trivial pursuit' nature has anyone spotted the significance of the BS number?

See the back page for the answer.

 **HEXTALLS LLP**



Dr Julian Morris of Hextalls Travel, Sport and Leisure Group





Member Profile

Fast Facts about Rockley Watersports

- Operates seven activity centres in Dorset and south west France
- Courses offered in dinghy sailing, windsurfing and powerboating
- Students range in age from six years upwards and in ability from complete beginner to advanced/instructor level
- Our customers are individuals, families, groups (corporate or industry ie staff training for other watersports/leisure companies) and school groups
- All watersports activity centres are recognised by the RYA and in addition the UK centres are AALA licensed
- Activity trips in watersports multi activity, mountain activity and sailing activity for school groups
- We have supported a number of local charities and events.

Established in 1976, Rockley Watersports is a family run business specialising in dinghy sailing, watersports training and holidays at seven activity centres based in Poole and south west France. Peter Gordon and his wife Lis are committed to providing watersports holidays and courses that exemplify quality, safety, excellent value and, of course, fun.

Member Name: Rockley Watersports

Location: Poole, Dorset

Number of Employees: 30 rising to 180 in high season

When did you become an Activities Industry Mutual member?

We joined AIM earlier this year. Initially we replied to an AIM flyer but we were under the impression that we did too much sailing. At a BAHA AGM we realised that other companies there were members of AIM and that they did sailing. We contacted James Willis of the management team and when we explained what we did AIM was happy to have us onboard.

Why did you choose to become a Member? Was there anything specific that made you decide or influenced you?

We have never had problems getting insurance cover, but never having had one claim in 30 years we were fed up with

premiums rising year on year. The idea of a mutual was attractive as there is a feeling of ownership and control of the product. By clubbing together the members of the Mutual can help and support each other whilst saving money.

Have you had any claims with AIM? How did you find the experience?

We have reported one incident (a sinking Swan Pedalo in three feet of water!) where, surprise surprise, all of their clothes were ruined and they had an iPod in a handbag! AIM have been very helpful – it's nice to be able to deal with James directly.

What is the best part about being a member of the Mutual?

Dealing with people who understand our industry and appreciate our particular issues. They realise that the Activity Industry is a low risk industry so there is no hysteria.

The importance of informing participants of the risk associated with activities.

A recent judgment; Poppleton v Trustees of Portsmouth Youth Activities Committee 12.7.2007. (AIM has no involvement in this case)

Gary Poppleton was a fit young man who would cycle to and from work and take regular exercise. He was an inexperienced climber who had visited the climbing centre with a group of friends on three or four previous occasions. He stated in his evidence that he attempted a difficult and dangerous manoeuvre beyond his capabilities on the bouldering wall believing that it was not risky because in the event of failure he would have a soft landing on the thick matting. He said that he would not have carried out the jump without the matting. His fall resulted in a serious spinal injury and paralysis.

He stated that upon signing in at reception, he was not asked to sign any participation statement, shown any rules or given any instructions and there was no discussion of the risks involved in the activity. The centre's Climbing Wall Rules which included "Do not jump off the walls; climb down" and "Do not climb on top of the structures" were displayed on a board outside the climbing room, and both expert witnesses agreed the rules should have been displayed more prominently.

A failure of the centre to comply with the *Management of Health and Safety at Work Regulations 1999* provided evidence of a breach of a common law duty of care to inform and warn Mr Poppleton as to the capabilities of the safety matting provided. However, Mr Poppleton was found to be 75 percent to blame for the accident as he had carried out a dangerous manoeuvre which was the immediate cause of the injury.

This judgment highlights the importance of participants understanding the inherent risk in activities they are undertaking, together with their responsibility to comply with the centre's rules and instructions. A centre must explain the risks, rules and instructions to participants and this should be done by a suitably qualified member of staff. A completed "acceptance or acknowledgement of risk statement or form" will provide evidence that the centre took appropriate steps to advise participants of the risks.



Regional Meetings

We are delighted to have an expert in liability issues and claims speaking at our regional meetings to discuss new developments and best practice procedures. Any improvement in members' claims experiences translates directly into membership benefits.

The invitation is for 10.30am coffee for an 11.00am start and the seminar will take us through to a buffet lunch. There's a warm welcome for both existing members and those who may be interested in the unique benefits that a modern member-controlled mutual can deliver to its membership. We very much hope that you are able to attend one of the meetings.

Please confirm your attendance with James Willis (contact details below) to assist with catering.

SCOTTISH MEETING :

10.30 am Friday 30th November 2007
Hilton Edinburgh Airport
Edinburgh International Airport
EH28 8LL

SOUTH WEST MEETING :

10.30 am Monday 3rd December 2007
Mill on the Brue Outdoor Activity Centre
Trendle Farm
Tower Hill, Bruton
Somerset BA10 0BA.

WALES MEETING :

10.30 am Tuesday 4th December 2007
Llangorse Multi Activity Centre
Gifach Farm
Llangorse, Brecon
Powys LD3 7UH

PEAK DISTRICT MEETING :

10.30 am Wednesday 5th December 2007
Hollowford Centre
Castleton
Hope Valley S33 8WB

LAKE DISTRICT MEETING :

10.30 am Thursday 6th December 2007
Brathay Hall
Ambleside
Cumbria LA22 0HP

Further information

For more information or quotations please contact:

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Managers: Regis Mutual Management Ltd in association with CTBS Active Ltd.

Answer: The height of Mount Everest in metres.