

Ontarget

The Activities Industry Mutual Newsletter

Spring 2010



A successful year

The AIM Scheme began in February 2005 and converted into a mutual, The Activities Industry Mutual Ltd (AIM) in July 2007. I am pleased to report that AIM has enjoyed a successful second year and the forthcoming financial statements will show a second successive surplus. Compared with the previous 12 month period to 31 July 2008, the Mutual has experienced an increase in total contributions and membership numbers, which to a large extent is due to word of mouth recommendations. This is a good outcome in AIM's second period of operation as it establishes itself as a significant and influential force in the outdoors insurance sector.

The appeal of a well managed mutual, wholly focused on the outdoor education and activities sector, owned and controlled by its members and fully protected by excess insurance with the highest security, is a powerful alternative to conventional insurance schemes.

AIM is a not for profit company, limited by guarantee. It was created by people in the activities industry to support people in the activities industry and provides broad and relevant cover to its members via a mutual structure. Control of the Mutual rests with the Board of Directors which is elected by the members, primarily from the membership. It is administered by professional managers and claims are handled by a specialist team. This structure provides a unique alignment of interest in favour of the member. Furthermore, activities industry expertise within the Mutual allows us to deal with our members in an intelligent, understanding and supportive fashion.

The AIM Board has recently adopted as its mission the objective of being "the leading provider of liability cover to the adventure activities industry". To this end we will take an

active part in supporting members to adopt best practice in the management of safety and continue our programme of providing members with advice from experts on Health and Safety and post accident procedures through a series of meetings, seminars, workshops and publications.

We are encouraged by the strong level of interest in the Mutual from right across the outdoors sector and look forward to AIM's future development with enthusiasm and confidence.

Andrew Gardiner, Chairman

FEATURES

- AIM National Seminar and AGM – 10 March 2010
- Protecting children and business
- Member Profile – Venture Trust
- Compensation culture and the outdoors
- Lord Justice Jackson's review of personal injury claims costs
- Withdrawal of Redpoint Auto-Belay devices



ACTIVITIES
INDUSTRY
MUTUAL

Protecting children and business

The financial implications of a child abuse complaint can be massive. The current civil claim for a child abuse case, within an organisation, averages at £175,000 and these cases can destroy businesses both financially and by reputation.

Backed by a highly qualified and professional multi-agency team drawn from police, social services, the NSPCC, probation and other key players, SAFEchild has developed robust and effective policies and procedures to support organisations in fulfilling their legal “duty of care”. As part of your business’ management review, why not use the following useful checklist:

1) Policy & Procedures:

- Are the Lead and Deputy Person/s for Safeguarding named, with contact details given for all staff and the public?
- Are they accessible during all opening hours?
- Can all staff access all policies and procedures easily?
- Is there a clear process for referral of all concerns and allegations?

2) Recruitment for the new financial year:

- Where relevant, do job adverts carry a clear statement with reference to safeguarding and the need for CRB checks (and the new ISA numbers from July 2010)?
- Do application forms have a Rehabilitation of Offenders statement?
- Are job descriptions clear about tasks and codes of staff practice?
- Are at least 2 references in writing?
- Is child protection training available to all staff every 3 years, and 2 years for the lead person and deputy?

3) Complaints from children and/or families:

- Is there a clear complaints policy?
- What complaints have been made this year?
- Is there anything that can be improved?

4) The public:

- Is there clear signage and information in public literature about unaccompanied children, hazardous spots, and photography, staff only areas?
- Are there “lost child” procedures and are they practised by all staff at regular intervals; in rare cases what is the timescale for calling the police?
- What procedures are in place for children being left unsupervised?



5) Safeguarding Risk Assessments:

- Where on site and during which activities might children be at risk of harm?
- Where on site and during which activities might staff be at risk of unfounded allegations, or indeed find the opportunity of harming children?
- Is there anything we can improve? Think about isolated hard to supervise areas — toilets and changing rooms, unauthorised photography.

If you would like to know more about SAFEchild and what you can do to safeguard children and your business, visit www.safechild.co.uk.

Rosie Carter – Director, SAFEchild

Member profile - Venture Trust

A chance for change

Venture Trust is an organisation specialising in providing troubled youth with a chance for change. Through wilderness-based intervention programmes, participants are provided with space and separation from everyday distractions, allowing them the time to reflect on ways to get back on track.

George Graham, Head of Development and Culture at Venture Trust, discusses its background, approach, and cover provided by AIM.

How did Venture Trust come about?

Venture Trust has been a charity since the early Eighties but only really began to be operationally active in the early nineties. At that time the UK government was mooting the idea of "Boot Camps" for young offenders but needed to set up a number of alternatives from which to gather data and consider results. Our then parent charity, Fairbridge, was approached to set up one of these alternative interventions and so the Venture Trust programmes in Applecross were born. Although originally intended to be only a three year project, the successes we were having in helping young men and women from across the UK make changes in their lives meant that we continued to attract funding long after the original pilot had finished. This has continued to this day and we have expanded way beyond Applecross and are now running a number of different programmes across the UK and beyond working with as many young people as we can reach.

Who benefits from your programmes?

We work with a wide variety of different people, although our core work is with young people who are living difficult lives, such as people with offending backgrounds or young care leavers, we also work with adults and others who need to make changes to the lives



"The one thing they all have in common is that they have recognised that something's got to change."

George Graham

they are living and want to learn new ways of doing things. The one thing they all have in common is that they have recognised that something's got to change. They may not know what they need to change and they may not know how to make those changes but they do know that whatever it is they are doing now isn't working for them and they're looking for some help.

Where does your funding come from?

Like any third sector organisation Venture Trust has a mixed portfolio of funding; from Scottish Government contracts on the one

hand, to individual donations on the other. Recently we were successful in being included in the Inspiring Scotland funding portfolio which has allowed us to develop a programme of long term work with young carers and looked after young people from across Scotland.

How many young people sign up for Venture Trust programmes each year?

We currently have capacity to work with over 1,000 young people a year but that is growing all the time.

Do you hear from those attending the programmes later in their lives?

We have always followed up with the young people who have attended our programmes and usually track their progress for around a year after they have attended. However, recently we have been developing the capacity to work with individuals back in their home communities for up to eighteen months at a time and in some cases even longer. It's always great to hear from people who came on one of our early programmes too – last summer I had a visit from two people who had attended one of the first programmes we ever ran at Applecross. They had kept in touch with each other and some fifteen years later had decided to revisit the place where they had first met and decided to get their lives on track. It was good to hear of the successes they had both found in their lives.

Have the programmes changed over time?

We're constantly developing what we do and how we do it. Although the core ethos of our work will not change we need to continue to learn and move forward with everything that we do. If we truly believe in helping people make positive changes in their lives then we must be the best that we can be at doing it. The one constant in Venture Trust is change!

Could you tell us about the Nepal project?

Nepal is a fascinating country which has had close ties to the UK for many, many years. We all think of Nepal as being about the Himalayas and trekking and mountaineering but you might be surprised to learn that, just like most places, Nepal has a growing problem with urbanisation and with inner city young people who are disengaged from society and who need some help in getting things back on track. We have been talking with various organisations over there for some time and are currently setting up a project where we will work in partnership with a number of Nepalese organisations over a number of years to trade best practise and develop a culturally appropriate model of the work that we do with young people that will be successful in Nepal. We're very excited about this piece of work which will offer us a huge learning opportunity that will help our work right across the board.

What do you consider the most rewarding aspects of working for Venture Trust?

Personally, for me it's the people, whether it's the incredibly passionate staff I work with, or the people who attend the programmes, Venture Trust is about people and potential and possibilities.

What are the greatest challenges faced?

Aside from the considerable funding issues that face all 3rd sector organisations these days, the main challenge that we face right now is probably growth. Venture Trust have been expanding operations considerably for the past few years and it is vitally important that as we do grow we don't lose sight of our core values. It happens all the time in industry as well as the 3rd sector, expansion can dilute the work that you do. We are determined to ensure that this won't happen to Venture Trust and we work very hard to make sure that it doesn't.

What kind of insurance cover does a company like yours need to have?

We have a very wide range of needs from covering our three specially built mobile units (7.5 ton trucks that are effectively mobile outdoor centres) to managing the not inconsiderable risks that come from working with what at times can be very challenging young people – that goes from backpacking in the Scottish Highlands in winter through to working in inner city Kathmandu.

What was it that appealed to you about AIM?

First and foremost we want a provider to understand the real risks involved in the work that we do – there is a perception that the outdoor industry is somehow intrinsically unsafe or risky and that is just not the case. We want our insurance provider to know the industry and to work with us to ensure that we get appropriate cover at a price that reflects the real risks – not inflated by a lack of understanding of the industry.

How does being a member of a mutual benefit your business?

Aside from the cost savings?

As I said before, if it is anything, Venture Trust is about people. Being part of a mutual is just a part of our core ethos – we always work in partnership with other organisations and that's really what a mutual is; a partnership of others working together to the same ends. In this case, it's ensuring that we get appropriate cover at an appropriate cost from an organisation that understands our business.



News and Events

AIM National Seminar and AGM

10.30am on 10 March 2010.

The Watermen's Hall, 16 St Mary at Hill, London EC3R 8EF.

Members and Non Members welcome.

Speakers will include Andrew Gardiner (Chairman of Acorn Venture Ltd and AIM), Matthew Davies (Partner specialising in activities in Liverpool law firm, Hill Dickinson LLP) and Jeremy Cole (Risk Engineering Manager, Mitsui Sumitomo Insurance Underwriting at Lloyd's Ltd). Andrew will speak on Adventures in India, with Matthew and Jeremy presenting on aspects of Risk and Accident Investigation and Claims Management.



Spring 2009 Edition Competition Winner



Congratulations to Mark Williams of the Hollowford Centre for winning the digital camera prize. You may remember that the question was to name a location closest to the spot from which the photograph of an unidentified mountain range had been taken. Mark chose the summit of Bishorne, which was the entry closest to the actual location – the lower and less demanding top of the cablecar, the Funitel de Pécelet above Val Thorens, taken in late January 2009.

Compensation culture and the outdoors

David Cameron has appointed Lord Young to head an enquiry for the Conservative Party into health and safety and the compensation culture. This forms part of the “blanket of bureaucracy, suspicion and fear” that Cameron spoke about when announcing the review. The net result is ever reducing opportunities for young people and adults to experience structured risk taking, damaging the development of self reliance, leadership.

Julian Brazier, an MP with a longstanding interest in the outdoors, has made a submission to the enquiry making a range of proposals to deal with the pressures on adventure training and sport, especially within the civil and criminal legal systems.

Brazier's paper argues that concern about getting sued or prosecuted is the number one barrier to volunteering in these areas, based on two large scale surveys. It further argues that this concern is grounded in actual bad legal judgments, not urban myths.

Brazier recommendations include the proposal that negligence claims be forbidden where people participate in sport or adventure training and sign a disclaimer, unless a much higher bar of reckless disregard can be proven. This, says Brazier, was the case in Britain a generation ago, and most states in America have introduced explicit legislation to this effect to protect their sports.

Learning Outside the Classroom (LOtC) and Adventuremark accreditations update

An article by Bob Barton of Adventure Activities Associates Ltd, charting the progress of these accreditations can be found on the AIM website: www.activitiesindustry mutual.com.

Bob Barton's book *Safety Risk and Adventure in Outdoor Activities* has been very well received by the outdoor community.

We would recommend this book to any of our Members who are not already familiar with it. The book helps us to balance our desire to provide exciting and memorable adventure experiences with the need to provide a proper standard of care to participants and staff. Particularly welcome are chapters on getting value from risk assessments, how to compile and analyse incident data and on the often ignored influence of human factors – all supported by many case studies.

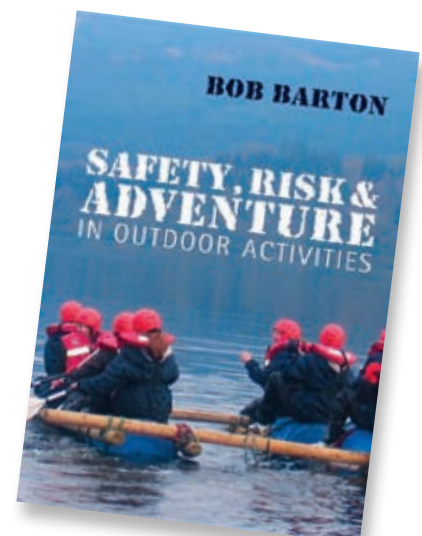
Copies can be purchased from The Institute for Outdoor Learning, Amazon (ISBN: 1412920787) or for £18 directly from Adventure Activity Associates.

Adventure Activity Associates

85 Grampian Road, Aviemore, PH24 3BP

T: 01479 811448

E: info@adventureactivityassociates.co.uk



Lord Justice Jackson's review of personal injury claims costs

Jack Straw, the Justice Minister, has welcomed the government commissioned Jackson investigation into civil litigation costs and the resulting 558 page report saying "It is a remarkable piece of work, which is based on extensive consultation and puts forward a broad range of significant recommendations for reform. I look forward to considering these proposals in detail."

Law firm, Hill Dickinson LLP comments: Lord Justice Jackson has published his report into Civil Litigation Costs, providing a large number of radical recommendations. The report is viewed as one that provides "Access to justice for defendants" and there is little doubt that the "winners" are defendants, liability insurers and public authorities.

The key proposals include:

- 1) The abolition of the inter partes recovery of success fees and claimant's after-the-event (ATE) policy premiums (partially compensated with an increase in general damages of 10%).

- 2) A ban on referral fees.

- 3) Qualified one way costs shifting (where the Defendant cannot recover costs if it wins).

- 4) Most importantly the introduction of a Fast Track Fixed costs regime for accident claims up to £25,000. Fixed costs may well provide certainty and reduce costs but there is also the risk of a whole new "costs war" starting as a consequence of both sides seeking to take advantage of the new regime.

It is the likely savings to the public purse in terms of reduced adverse costs that will give the recommendations continued impetus, though many of the changes may take time and further discussion before being implemented, as well as changes to primary legislation. It seems likely, however, that third party costs will be reduced to a more proportionate level.

Climbing & high ropes: withdrawal of Redpoint Auto-Belay devices

Redpoint Auto-Belay devices have been withdrawn permanently, following the stop notice issued in October last year, and no new ones will be made. The manufacturer MSA has withdrawn from the climbing market completely. The stop notice is a result of "two incidents where climbers using Redpoint Descenders experienced rapid rates of descent resulting in injuries". These incidents happened in Australia and Malaysia. There is an ongoing investigation into the cause of the incidents, which has so far been inconclusive.

Dates for your calendar

25 February

IOL Southern Seminar at PGL Marchants Hill, Hindhead, Surrey

10 March

AIM National Seminar and AGM at The Watermen's Hall, London

20 – 21 March

Eastern Seminar at Grafham Water Centre, Perry, Huntingdon, Cambridgeshire



Further information

For more information or quotations please contact:

James Willis – Activities Industry Mutual Ltd

Units A&B The Winery, Lamberhurst Vineyard, Lamberhurst, Kent TN3 8ER

Tel 01892 888423

Email james.willis@rmml.com

Website www.activitiesindustry mutual.co.uk

Managers: Regis Mutual Management Ltd

Fax 01892 891886

info@activitiesindustry mutual.co.uk

www.rmml.com