

On Target

10TH ANNIVERSARY EDITION

The Activities Industry Mutual Newsletter – Autumn 2017

HAPPY 10TH BIRTHDAY



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MESSAGE FROM OUR CHAIRMAN

Andrew Gardiner reflects on 10 Years of AIM and looks to the future together

A warm welcome to the latest Activities Industry Mutual (AIM) newsletter.

Inside you will find a look back over AIM's first ten years, and how we have influenced the availability of liability cover in the outdoor sector and become a leading provider. The AIM Board are pictured above in March 2016 after the London member event at the HMS Belfast. My thanks extend to all Directors who have supported the Mutual. I recall the day in February last year that James and I were photographed, after AIM's Scottish member event, it certainly was one of those days in the Cairngorms when we experienced several seasons in one day!

There is good news from the courts on successful defences in a mountain biking personal injury claim (Hood v Forestry Commission) and a Local Authority health and safety prosecution of a ropes course operator, brought to us by Sophia Reed and James Jevon of BLM. Also there are further lessons learned from the AIM claims team. We feature Nick Hands, manager at Malvern Outdoor Elements in our member profile, and Kirsty Savidge from the AIM team at Regis, our managers. Andy Robinson, CEO of IOL, who we continue to work closely with, offers some thoughts on the Adventure Licensing Scheme, apprentices in the outdoors, a chartered body for outdoor learning and coordination and clarity in research findings across the sector. We also congratulate the winners of our recent prize draw.

As we celebrate our tenth birthday, and look back on all that AIM has achieved, I am also pleased to be able to tell you of a new development that I think members will welcome. We have established a Membership Committee, under the Chairmanship of Tricia Rawlingson Plant, which held its first meeting a few weeks ago, to bring members together to look at what you want from your Mutual, in terms of its products

and its focus. Several of you have already joined the Committee, but it's not too late if anyone else is interested in contributing - just let us know.

I thought our member event and AGM at the New Forest Outdoor Centre in March this year was a great success, and the feedback suggests that those who attended agreed. We were blessed with a fine spring day, and, for many of us, our first barbecue of the year, and a diverse programme of speakers with something for everybody.

I very much hope to see as many of you as possible on our boat trip on the Thames in October, and as always thank you for your continued support for your Mutual.



Andrew Gardiner

Andrew Gardiner

Chairman Activities Industry Mutual Ltd
Andrew is also Chairman of Acorn Venture Ltd

CELEBRATING 10 YEARS OF AIM

James and Andrew in the Cairngorms following the AIM Member Event in Aviemore in February 2016

It is now 10 years since the Activities Industry Mutual (AIM) first opened its doors for business as a specialist insurance provider for the outdoor activity sector. It has grown from small beginnings to become one of the market leading providers in the sector with over 750 clients (or members) and an annual income in excess of £2.3M. Owned by its Members, it provides cover for both organisations and individuals providing activities, ranging from water sports and cycling to climbing and coasteering.

How It All Began

James Willis initially became involved with the outdoor activity sector as an insurance broker in 2004. Tasked with finding insurance for a residential activities operator that had been refused renewal terms by their regular insurance company and offered no alternative by their broker, James was surprised by the difficulties he faced in finding cover for them, due mainly to the fallout from an economic downturn and a world-wide insurance squeeze. The outdoors was being penalised by insurers for being, in their eyes, a “non-mainstream” economic activity and on the basis of perceived risk rather than actual risk.

“This is very common in the insurance industry at the end of a negative economic cycle. Insurers who, following worldwide losses, were under-capitalised in 2002-3, focussed on their “core business and moved to abandon their more specialist sectors such as the outdoor activity industry.”

So what was the real sector risk? Marcus Bailie of the Adventure Activities Licensing Authority (AALA) said that while he had a record of fatal accidents, he didn't have more wide-ranging accident statistics. He would be prepared to assist in promoting an initiative to get more information: so arose an industrywide risk assessment survey of over 800 AALA licensed

providers. Over 400 responses provided *evidence showing a relatively low level of overall accidents and claims, which indicated that the sector was a long way from the “perceived high risk view” held by insurers.*

The survey result suggested that adventure activities was a potentially sustainable and profitable sector for insurers and it formed the basis of a report that James presented to a number of London market liability underwriters, including a mutuality specialist, Paul Koronka. Mutuals have an impressive record of bringing value and stability to specialist and difficult insurance market sectors and it was considered that mutuality could provide the most appropriate solution for the outdoor sector. The AIM Project had the green light.

Later that year James presented both the survey findings and the AIM initiative at both the IOL and BAPA annual conferences and his talks sparked an interest in a number of providers, none more so than AIM's current Chairman, Andrew Gardiner, at the BAPA conference. Andrew remembered being so inspired that he attended the talk twice in the same day:

“Being responsible for a number of centres, and therefore carrying personal and corporate risk for a variety of outdoor activities I was always interested in insurance. But I had never really understood

precisely how liability insurance cover was provided by the numerous layers of insurance providers. I didn't actually know who was standing behind our business and even less was I convinced that they understood the risks and realities of the outdoor sector! So what James proposed was just what I wanted to hear. He explained how we, as an industry, could work towards forming a mutual which would provide the cover we needed and at premiums which would reflect more accurately the risks attaching. "

A steering committee was formed and included Andrew and other interested operators, including current AIM directors, Bob Edwards of Stubbers Adventure Centre and Tricia Rawlingson-Plant of the Mill On The Brue Activity Centre. Chris Bayliss, finance director of The Field Studies Council also made a very valuable contribution in the early years. The steering group evolved to become the Activities Industry Mutual board, and member enthusiasm and support enabled "critical mass" to be achieved and the AIM scheme became a mutual in 2007, with Andrew Gardiner becoming Chairman, a role he is still enjoying 10 years on:

"The growth of AIM has exceeded my expectations, indeed, I think it has surprised everyone. Working with my fellow board members and the team of very able executives has been very rewarding. We have replaced, for most members, the previous roller-coaster experience of insuring with unknown organisations often for the short term, and with consistent cover. Mutuality has proven to be ideal for the outdoor sector and has resulted in stable costs and cover backed by people and organisations who know the sector and their members' businesses"



It was probably not coincidental that once the survey results and the mutual initiative became known, there was a sudden new interest in the sector. Commercial insurers that had previously abandoned it or imposed punitive premium increases, showed interest again, but a mutual is different from a conventional commercial insurer, and AIM has usually been able to offer providers better cover for less. As a company whose members pool risks of a similar nature to achieve long term and stable insurance protection at cost, the key distinguishing feature is the alignment of its interests with those of its members. Surpluses (i.e. profits) are utilised for the benefit of its members, either as increased retained reserves or distributions returned back to members, and the mutual has no outside shareholders requiring dividends, nor does it pay commissions to third party brokers or "business introducers".

The Changing Face of the Outdoors

The last 10 years has seen a period of structural change for the outdoor sector and the role of AIM has evolved within this changing environment. James has witnessed significant changes in both the scope of providers and their approach to safety management:

"Following government cuts, the last decade has been marked by a decline in local authority outdoor education provision, but it has been encouraging to see the emergence of new independent operators, many of whom have taken on former local education authority centres. There is now a wider range of organisations within the outdoors arena, ranging from large and small commercial operators to "not for profit" charitable trusts and community interest companies (CICs)."

AIM has also seen a number of new areas of development beyond traditional outdoor centres. There has been a growth in indoor climbing all over the UK, a growth in non-residential provision and a growth in members providing newer outdoor activities such as canyoning, coasteering and downhill mountain biking.

Schools have become increasingly risk averse during this period but Andrew feels that AIM has helped operators face these challenges by supporting a professional approach to safety management amongst its members:

"By being part of the AIM community our members have access to best practice in risk management. AIM actively supports training programmes and industry-wide developments that enhance standards of professional practice."

James feels that over the period the industry has continued to develop in its approach to risk and safety management.

"There has been an increasing recognition by operators that the risk assessment process is far more than a paper exercise; it is all about developing a culture of safety throughout an organisation. Despite legal reforms and a desire for change, the volume of unmeritorious personal injury claims continues, as does AIM's pledge to work with members to evidence a strong defence."

Membership of AIM isn't just about "getting a quote":

"We have always been selective in terms of the members that we accept, as the quality of delivery has a direct effect on both the volume of claims and our ability to deal with them and, of course, the mutual's surpluses available to members. Independent inspection frameworks help enormously and are an important tool in making these decisions."



James has also experienced something of a personal journey through his involvement with the sector over the past 10 years:

"I have really enjoyed getting to know people within the sector, both board members and operator members, and really do recognise the importance to society in introducing and enthusing young people in managing risks and responsibilities in the outdoors environment; and also the unique opportunities it can bring to young people."

Going Forwards Together

Andrew Gardiner sees AIM providing an increasingly valued service for the industry going forward:

"Operators cannot provide activities without solid reliable insurance in place. As a member organisation, we can act in the interests of the sector as a whole and take a long term practical view. The sharing of technical knowledge and expertise makes sense and the community approach of AIM provides a platform that makes this possible for organisations of all sizes. We will continue to support members through our programme of seminars and conferences - something that we have been doing since we started."

In addition to this there is a more obvious financial benefit for long term members in terms of the potential for rebates. Having been established for over 10 years AIM is now able to look back at previous years and, where possible, provides a distribution of surplus on contributions paid. This is unique to a mutual insurer and a reflection on the good safety and claims record of AIM members."

James Willis has a clear vision for AIM as it faces the opportunities and challenges of the next 10 years:

"We expect to see growth in the outdoor sector in terms of both new members and revenue, but we recognise that there may be some volatility in levels of provision as a function of economic cycles, particularly for independent operators who rely on external funding to support their operations. AIM has, from the outset, taken a long term view and providing the outdoor sector with a stable and reliable service will remain its top priority."

AIM MEMBER PROFILE

Malvern Outdoor Elements

Fast growing Not-For-Profit transforms former Council Outdoor Education Centre

In 2013 former Chief Instructor, Nick Hands, took on the challenge of saving the Malvern Hills Outdoor Education Centre that was threatened with closure after 40 years of operation as a County Council funded outdoor education centre.

In its first year of operation as an independent, the re-branded “Malvern Outdoor Elements” generated a net surplus and has gone on to grow its turnover every year, investing profit back into the development of the centre. Now operating at full capacity it has recently taken over another nearby former council-run outdoor centre to extend the operation.

The Outdoor Elements

Malvern Outdoor Elements offers a wide range of outdoor activities for visiting groups and individuals. Set within 9 acres of wooded grounds on the edge of the Malvern ridge, the centre can accommodate up to 114 residential guests in three separate accommodation blocks.

Activities offered within the centre grounds include Abseiling, Archery, Blind Trail, Bush Craft, Climbing, Grass Sledging, Hill Walking, High & Low Ropes, Orienteering, Poles Course, Problem Solving, King Swings and a Zip Wire.

Watersports activities offered on the nearby River Avon include Kayaking, Canoeing and Raft Building.

The core business of the centre is residential groups from local primary schools attending for 3 or 5 day courses. Other school group courses offered include DofE residentials and GCSE PE Outdoor Education activities. Local children are welcomed for Summer Activity Days during the school holidays and adult

groups are offered everything from team building to first aid and safeguarding courses.

Nick Hands is particularly proud of what the centre is able to offer to young people with special educational needs:

“One of our greatest achievements is being able to ensure that any visitor of any physical ability can enjoy our facilities and we have been able to witness and share in some truly life-changing experiences as a result.”

The activities are delivered by a team of over 20 permanent staff and 5 freelancers. The centre also operates its own instructor training scheme which allows trainees to progress through a Modern Apprenticeship programme to become a qualified Instructor over a structured 3 year programme.

The Funding Journey

The story of how Nick and his team came to launch Malvern Outdoor Elements from the former council-run centre is a great example of what can be done with perseverance and a positive approach.

After a number of false starts with Worcestershire County Council trying to sell the centre to commercial operators, Nick made an approach to effectively complete a management buy-out of the centre.



He could only take this forward with some form of external financial funding and this proved to be very challenging until he found a local youth development trust called the Bransford Trust that was willing to provide a £100k grant over a 3 year period.

Nick also benefited from the support of local politicians including former Malvern County Councillor Beverley Nielsen who now sits on Malvern Outdoor Elements independent board of directors.

The centre that was threatened with closure in May 2013 was transferred to the Malvern Outdoor elements not-for-profit community interest company in July 2014. Nick is very aware that this remarkable transformation may never have happened if not for the initial funding provided by the Bransford Trust:

“With the help from Bransford Trust we have taken the site from an underperforming, loss making public service, to a centre that is now investing in the future, seeing more groups than ever before and introducing more children to the great outdoors”.

Valuable Help from AIM

Nick found initial support from the Activities Industry Mutual really helpful in the early years of Malvern Outdoor elements as their centre had effectively been blacklisted by insurance companies at the time that he was negotiating the transition of the centre.

Nick now uses AIM for everything from public and employers liability to property and equipment insurance for all centre activities.

Future plans for Malvern Outdoor Elements include the capital refurbishment of their Malvern Centre where some of the buildings are now over 100 years old plus the new centre acquisition, completed in February 2017 which will give Malvern Outdoor Elements the opportunity to develop an 80 bed residential centre on a 22 acre site.

More info: www.malvernoutdoors.co.uk





OUTDOOR LEARNING ROUNDUP

Andy Robinson CEO of the IOL reflects on some potential areas of common interest and developments in the past 6 months.

The Institute for Outdoor Learning works closely with AIM sharing our understanding of the developing adventurous activity sector and seeking to promote participation and standards. Though as a broader outdoor learning sector we have many different specialist groups, we have much more in common than that which differentiates us.

HSE's review of the Adventurous Activity Licensing Scheme.

Back in the 1990's there was some frustration when the sector had a legislation backed inspection regime and associated licensing thrust upon it. Two decades later I am clear that the sector has benefited hugely through the development of an intelligent approach to risk management and legislation compliance. As the HSE explores the future of AALA it is important we don't lose the culture that it has brought to the sector and any new regime needs to continue to bring the same rigour and developmental benefits to the sector.....on a UK wide basis !

At the moment one of the potential options for the future is a HSE endorsed and sector led inspection regime that encompasses and possibly goes beyond the scope of ALAA. If the HSE is to adopt a regime with a wider remit than AALA then there is a need for providers to have an opportunity to consider their options and understand the pros and cons of any potential change. Though a relatively small population of folk have already started on this journey I am clear that the majority of UK based providers have not. HSE's review of AALA that started in 2016 was not a big

surprise. A number of us have been working for a while to enable the UK wide sector to 'pick up the pieces' if the AALA were to be withdrawn. This sector wide group has become known as the UK Adventure Industry Group and is seeking to ensure that any new regime reflects the changing nature of adventurous activities and can be applied consistently across the UK.

I'm aware that there is some nervousness about expanding the reach of the current legislation or even withdrawing/changing the legislation and moving to a sector led inspection regime that is endorsed by the HSE. Whilst it is not possible to predict the outcome of the current review, I draw comfort from a number of factors. Firstly, the HSE has yet to bring a prosecution under the adventurous activity licensing legislation. Instead any prosecutions involving adventurous activity provision have been brought under the Health & Safety at Work Act, something that remains in force regardless of any changes to Licensing. Secondly, should we move from the legal requirement to hold a licence to a HSE endorsed licence that the sector expects a provider to hold, the legal implications of failure to comply should an incident occur remain prosecution under the HSWA. If that happens the HSE will refer to the sector led scheme that they have formally endorsed. Finally, I remain convinced that the

majority of providers value the feedback provided by a regular external inspection; a source of objective management information.

We should know more about the HSE's review by the end of the year and if you wish to contribute to planning for a sector led regime you can contact me direct.

Developing new apprenticeships for The Outdoor sector

As described last year the Institute is working with the Department for Education to develop new apprenticeships for the sector in England. There have been wide levels of support for this work with a very healthy cross section of employers joining the group helping to produce new standards, a new approach to assessment as well as a new governance structure. The project has reached the stage of agreeing funding levels with DfE and expects to announce the new 'Outdoor Session Deliverer', the first level apprenticeship standard, later this year. Further details of the standards can be found on the IOL website or through contacting the Institute's Professional Standards Manager, neal.anderson@outdoor-learning.org or the Employer's Group chair mark.lavington@pgl.co.uk

Joining up Research, Policy & Practice

Any of you who have spent any time looking for research evidence to support the value proposition for what you do, will probably have experienced a degree of frustration in the level of co-ordination and clarity in research findings across the outdoor sector. Working with the Blagrave Trust the Institute commissioned a report in 2015, highlighting the need for better join-up between academics and practitioners and better co-ordination of research activity in the sector. As a result the Institute is supporting the establishment of regional research hubs through 2017 and funding a research co-ordinator role.

The regional hubs will draw together research that has been carried out to date and is ongoing, as well as identifying the current and future research needs of practitioners in Outdoor Learning. In addition to enabling more information to flow between academics and providers, the hubs will provide guidance to policy bodies such as Natural England and they are already working closely with NE's Strategic Research Group and the Council for Learning Outside the Classroom.

Building a Chartered Body for outdoor learning

Finally in my round up of the past 6 month's developments in the sector I should mention the movement towards the creation of a Chartered Body for the Outdoor Learning profession. I'm sure many of you recognise the under valuing of many aspects of outdoor learning and hopefully also recognise the increasing cohesion in the sector with activity such as the AALA review, new apprenticeships and co-ordinated research.

In 2016 at the Institute's annual conference a commitment was made to set up a Chartered Body for the sector. In addition to the activity outlined in this article a range of bodies across the sector are planning to develop a campaign aimed at increasing every child's access to a progression of outdoor learning experiences through their school years. If you're interested in the campaign or influencing the establishment of a Chartered Body contact me andy.robinson@outdoor-learning.org



LEGAL UPDATE FROM BLM

Sports injuries: thrills carry risks

Sophia Reed of BLM reviews Hood v Forestry Commission (2017)

The facts

The claimant was injured whilst using a mountain bike trail at Grisedale Forest which was operated by the defendant. At the time of the accident the claimant was leaning on his bike and was turning to his right in order to leave the boardwalk when he alleged that the rear wheel of his bike slipped off the boardwalk, causing him to fall from his bike and to suffer serious leg injuries.

The claimant argued that the boardwalk was unsafe and that the cross-hatching or grove scoring to prevent slippage had worn. Also he alleged that the boardwalk had not been properly maintained and no other safety measures had been carried out to prevent cyclists from coming off the trail.

Liability was denied on the basis that the boards were anti-slip and the cross-hatch scoring was an additional, but not necessary, safety measure that had been added at a much later stage. Also the defendant argued that mountain biking carries with it an inherent risks and dangers, which the claimant had voluntarily accepted when using the trail.

Findings

The court unsurprisingly concluded that the defendant clearly owed a duty to the claimant under section 2 of the Occupiers' Liability Act 1957 ("OLA 1957") to take such care, as in all the circumstances, was reasonable to see that they were reasonably safe whilst on the bike trail.

It was held that on the balance of probabilities it was more likely than not that the accident was caused due to the claimant misjudging his route of exit from the boardwalk and not due to any failure on the part of the defendant. The court reached this finding on the basis that the mountain bike trail was described as a "red trail" and signage was in place notifying people that it

was difficult and suitable for proficient mountain bikers with good off-road riding skills. The court also focussed on the fact that the signage warned that the trail had "*challenging climbs, tricky descents and technical features...*" and that the claimant had read this signage.

As a result, it was held that the claimant was fully aware and accepted the risk of riding along the trail. Also the claimant had described the trail as being "good" and was on it for a considerable period of time prior to the accident. Further, other riders had used the trail that day with no problems and it was seen that there had been no real deterioration to the route.

Further, the court reiterated the fundamental principle that the duty placed on occupiers is not absolute and is instead to "*take reasonable care in all the circumstances*". On the facts, it was held that the cross-hatching was visible and although it was worn it was not the only mechanism that was in place to provide protection from slipping. It was also noted that the trail had operated without the cross-hatching for a period of six years and the boardwalk was to be completely removed just a few days after the accident for other unrelated reasons.

The court concluded that the defendant's duty under section 2 of the OLA 1957 did not require the installation of the cross-hatching or grooving. It was held that this was an additional, non-compulsory, safety measure to prevent slipping but the defendant did not have to guard against the risk of slipping at all costs.

It was stated that these types of courses are there to provide a thrill to participants and to impose such a high burden on an occupier to protect against every risk would be too great, would take the thrill away and would result in these activities being considered too dangerous to operate. As a result, the claim was dismissed.

What this means for you

This is a welcome judgment where the court made clear that occupiers do not have an absolute duty to protect visitors against every risk of injury. In this case, it was seen that use of the boardwalk trail carried with it inherent risks that the claimant was fully aware of. Also there was signage in place that advised of the type of terrain, warned the claimant that the course was difficult and noted that the course was designed for more proficient and experienced riders.

It should be noted that the court took into account that the claimant had read the signage and had negotiated the rest of the course without incident. Also, it was seen that the grooving or cross-hatching was an additional safety feature, which the defendant had not been under an obligation to install.

This case applied some of the principles in the recent High Court case of *Maylin v Dacorum Sports Trust t/a XC Sportspace* [2017] EWHC 387 (QB), where it was held that participants accepted the risks when carrying out sporting activities, which posed obvious and inherent dangers.

In this case, the court took a common sense approach by not wanting to place too onerous obligations on sports and activity providers to carry out every possible step to protect participants against every possible risk, especially in circumstances where these risks could be considered obvious.

This case may have been dealt with differently, had the defendant failed to use signage or provide warnings to riders in respect of the nature and difficulty level of the trail. Also, it should be noted that the trail was not seen to be in a state of disrepair but had there been a specific defect that had caused the accident, then liability could have possibly attached, if the defendant had or ought to have been on notice of the defect but failed to repair it.

It is recommended that sports and leisure operators have records of maintenance and inspection in relation to the facilities, equipment, courses etc. that are used by members of the public. Also suitable supervision, guidance and signage should be put in place to assist with minimising the number of accidents and to assist with defending these types of claims.

E: Sophia.Reed@blmlaw.com



Sophia Reed

James Jevon comments on BLM's successful defence of a high ropes course operator

The operator was being prosecuted by a local authority for breaches of health and safety duties.

The local authority asserted the company's risk assessment did not recognise human error and failed to identify a second or independent check of connection to a 3 loop spreader bar as a control measure; that the introduction of the 3 loop spreader bar was not risk assessed; and that a written system of work or task analysis including either independent check of instructor's actions or some form of two stage check should have been in place.

The activity at the heart of the case was the operation of the fan descender or free fall course element. A participant in the free fall activity was secured to the 3 loop spreader bar by the instructor prior to leaving the ground. The participant ascended a few steps before returning to ground. At that stage the instructor detached and reattached the 3 loop spreader bar incorrectly contrary to instruction and training. Consequently a secure connection was not made and the participant fell a distance of 10m unrestrained.

The premises of the Defence were that a suitable and sufficient risk assessment had been completed; that a risk assessment does not have to be recorded to be suitable and sufficient; the training and instruction provided was adequate; there was not an obvious risk of confusion between two different spreader bars in use at the site; and that all that had placed the defendant in breach was the act or omission of the instructor and that it was not reasonably practicable to have done more.

After a twelve day trial at Gloucester Crown Court the company was acquitted by unanimous verdicts in relation to counts alleging a failure to conduct a suitable and sufficient assessment of the risks arising in connection with its free fall course element and breach of the general duty in section 3(1) of the Health and Safety at Work etc. Act 1974.

E: James.jevon@blmlaw.com



James Jevon

LESSONS LEARNED

CLAIMS REVIEW

Slip and Trip claims headed the 2017 claims table again this year, accounting for 22% of personal injury claims. It was matched with 22% of claims relating to ropes courses. Coasteering and canyoning claims accounted for 12%, with bouldering and climbing representing a further 12%. Mountain biking and Segway accidents each accounted for a further 6%.

Successful defence of what we consider to be an unmeritorious claim depends to a large extent upon the member being able to provide written evidence of what actually happened. This would include the accident report, witness statements, instructor qualification / training record, Standard Operating Procedures including instructor/ participant briefing check lists, risk / benefit assessments, maintenance records and an accurate record and photographs of the exact accident location. AIM's successful claims defence is due in large part to members having an excellent record of providing this information promptly.

The cause of almost all accidents is human error, and from our experience the most accident prone participant is likely to be a male in his 30s or 40s (over?) enthusiastically engaging in activities involving height, biking or boarding.

Legal costs involved in running a claim are a significant expense for the mutual, and we're pleased to report that in the past year AIM hasn't been involved in civil proceedings. However, currently there is the prospect of court proceedings pending in respect of a bouldering claim, a teacher who caused a zip wire collision and Royal Navy employee who misjudged a gorge walk jump into water.

Regarding the cases not involving AIM members reported by BLM Law in this issue, the criminal prosecution of a ropes course brought about by a local authority draws our attention to the power of the local authority's environmental health officer (EHO). Get to

know your EHO if possible! It's an advantage if your EHO is familiar with your operation and aware of your health and safety processes.

The *Hood v The Forestry Commission* mountain biking civil case (page 10) highlights the importance of informed consent, on site signage and inspection and maintenance records.

There was another mountain biking case earlier in the year which was decided in favour of the claimant. The claimant, a lawyer aged 47, was taking part in a beginners' mountain bike tuition course in the Surrey Hills when he fell on a "blue" rated run and landed badly, suffering serious personal injuries as a result of which he has been rendered paraplegic.

The instructor was considered 80% liable to the claimant for this accident. It was judged that he to have failed to carry out his tuition with reasonable skill and care, so as to enable the claimant to ride down the slope in safety.

The expert witness written guidance in this case came from two different professional associations, namely, the National Interscholastic Cycling Association ("NICA") a USA student cycling association, for the claimant, and the UK Mountain Bike Instructors Award Scheme ("MIAS") for the defendant. There was some dispute as to which of these two guides was more appropriate for the training course which was being provided by the defendant and in the event it was the NICA guidance which the judge relied upon.

PRIZE DRAW

Thank you to everyone who completed the prize draw entry to celebrate the 10 year anniversary of the Mutual.

We received 248 entries and we are delighted to announce the winners drawn at random.

Chris Bailey – Sennen Adventure, Penzance

and

Matthew De-Havilland – H2 Outdoor, Woolacombe

Both members received a Go-Pro Hero 5 Session Camera and were more than happy to get us some great shots using them.

For queries regarding the prize draw or any other marketing, please contact cathy.watson@rmml.com or **01892 888 472**



STAFF PROFILE

Kirsty Savidge

How long have you been at AIM and what do you do?

I started working at AIM in June 2015 as Assistant Mutual Manager. I have worked closely on a number of projects including the development of new systems and processes to assist the team as AIM continues to grow. I am also lucky enough to attend AIM Board meetings on a regular basis as well as visiting members from time to time. I have even had a go at some of the activities our members offer. I assist Cath Watson with the organisation of the AIM member events on the day and they are an excellent way to meet both long-standing and new members.

In the last 6 months I have been heavily involved in the creation of AIM's first membership committee along with the AIM Directors. The committee has generated interest from a number of members wishing to take part and this will no doubt prove an effective way of hearing the matters that are of the highest importance to our members.

Last year I launched AIM's first Facebook group for members and continue to facilitate the discussions online, we encourage any members who haven't already, to join the group!

How do you fill your spare time?

In October 2016 I started a Master's in Business Administration via distance learning with the University of Leicester so my spare time is mostly taken up with study. However, whenever I can I enjoy a run along Eastbourne seafront first thing in the morning and in the summer, catching some of the live music at the local bandstand with a glass of wine.

What is your greatest sporting achievement?

I had always wanted to run a marathon and in 2015 decided to make it a reality, and ran the Race for Life marathon for Cancer Research in Lee Valley Park. My time was 5hr 30mins which I was very happy with but I would like one day to do the London Marathon and aim for a sub 5 hr time if possible.

What activities do you plan to try next?

I have done a few of the Tough Mudder events which I've really enjoyed, and I may get involved again this year. They are 12 mile mud and obstacle courses with a number of gruelling obstacles including crawling under barbed wire through mud, swimming through ice cold water, clambering over high walls and generally getting extremely muddy! Believe it or not, I did this just for fun and completed the course in around 2hrs 30 mins. I am also doing the Great South Run in October and I would really like to have a go at a Triathlon, so maybe this is something to work towards for 2018.

Insurance background

I have worked in the insurance broking industry for nearly 12 years, I have worked for a range of brokers from a small family business to one of the global leaders, Marsh.



CONFERENCES AND EVENTS

AIM held two member events in 2017 at the Hollowford Centre in February and New Forest Outdoor Centre in March.

Hollowford Centre, February 2017

On a wet and windy day in February, with storm Doris blowing in to greet us, a number of outdoor providers braved the elements to join the event at the Hollowford centre. The day included a number of different speakers throughout the day. We had planned a tour of the site but due to the weather this had to be cancelled. A hearty lunch followed nevertheless and all guests enjoyed the opportunity to network and chat with fellow providers and industry colleagues.

Our guest speakers for the day provided a mixed and varied programme.

Andy Robinson, from Lindley Educational Trust and IOL, gave us an overview of the work at Hollowford Centre and Lindley Educational Trust. Andy was also able to provide updates on key industry topics such as the AALA licensing review, and some key IOL points.

A popular choice of speaker, as always, was Sophia Reed of BLM who provided a legal update on an AIM case and Court of Appeal decision.

Rehna Yaseen, also from Lindley, gave us an insight into an innovative outdoor learning youth project which was inspiring and thought provoking. Rehna's experiences of bringing youth work and outdoor learning to young people including Scottish winter mountaineering on Cairngorm certainly gave members food for thought. The project looks to cross cultural, employment and gender barriers through winter mountaineering and other projects.

Kelvyn James, from the ABC, shared stats from the ABC's accident reporting database, which is a key initiative in understanding the causes and prevention of accidents at artificial climbing structures. Members were interested to hear the implications and detailed analysis provided.

Shaun Fyson, AIM's Mutual Manager, and James Willis, industry specialist, gave an update on AIM's growth and development plus industry insights and claims trends.

New Forest Outdoor Centre, March 2017

Our March event was kindly hosted by AIM Member, the New Forest Outdoor Centre. We heard presentations from a mix of speakers on a variety of topics. The centre provided us with an excellent barbeque lunch and a tour of some of the outdoor facilities available at the site.

AIM Director, Bob Edwards of Stubbers Outdoor Centre, set the tone for the day's proceedings with a humorous, entertaining and engaging overview of his life in the outdoor industry.

Keith Ovenden, from A Mind 4 Adventure, highlighted the benefits of implementing a robust system of Trauma Risk Management for outdoor professionals who may be involved in a traumatic incident.

A regular presence at the member events is Sophia Reed, from BLM, who gave a reassuring presentation of the legal support available through AIM. She provided an update on an AIM case and prompted some interesting questions from participants.

Many providers tell us they are interested in hearing from specialists in the outdoor industry so we were very happy to welcome Paolo Fubini, from Arrampica, who discussed the role of the technical adviser and the need for change.

Our last guest speaker was also an AIM Member Zoe McLean, from A to Z Expeditions, who presented an outline of the Duke of Edinburgh scheme and the risks and challenges associated with DofE expeditions.



The day's final update came from AIM Mutual Manager, Shaun Fyson and industry specialist, James Willis, on AIM's growth and development plus claims trends.

Our thanks to all our speakers and collaborators from earlier this year. We welcome any suggestions for venues, speakers or topics for consideration at forthcoming AIM events. Look out for the invitations for next year's exciting event and we look forward to seeing you there. For further information or to book your place on our 2018 Member Day please contact Cath Watson on cathy.watson@rmml.com.

If you are a member of AIM you will have already received your invitation to our 10th Anniversary Party on board the Elizabethan paddle steamer in London and we look forward to seeing many of you there at our birthday celebrations. This is a networking opportunity for you to meet many other providers and industry specialists.

DATES FOR YOUR DIARY

ABC Annual Conference	Plas Y Brenin	28/29th September 2017
AIM 10 Year Anniversary Member Party	River Thames, London	3rd October 2017
IOL Wales	Bangor University	7th October 2017
Vertex Industry Day, Challenge 4 Change	Manchester	15th November 2017
CLOtC National Conference	Ingestre Hall, Stafford,	16th November 2017
IOL Scotland	Scottish Outdoor Education Centres, Belmont	24/25th November 2017
AHOEC Conference	Brathay Hall, Ambleside	23/24th November 2017

AIM EVENT DATE 2018

AIM Member Event & AGM 2018	Venue TBA	March 2018
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FOR MORE INFORMATION OR QUOTATIONS PLEASE CONTACT US

James Willis, Shaun Fyson, Kirsty Savidge, Cath Watson, Bradley Mott, Liz Easton at The Activities Industry Mutual Ltd
Third Floor Westcombe House, 2-4 Mount Ephraim, Tunbridge Wells, Kent, TN4 8AS

Tel: **01892 888423** | Fax **01892 535480**

Email info@activitiesindustrymutual.co.uk | www.activitiesindustrymutual.co.uk

Managers: Regis Mutual Management Ltd www.rmml.com

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