RISK MANAGEMENT
FOR
OUTDOOR PROGRAMS

A Handbook for Administrators and Instructors in British Columbia

- **Outdoor Recreation Programs**

- **Adventure Tourism Programs**

- **Physical Education – Outdoor Activities**

- **Other Programs – Field Excursions**

PEP Provincial Emergency Program

WorkSafe | WORKERS' COMPENSATION BOARD OF BRITISH COLUMBIA

BRITISH COLUMBIA

CENTRE FOR CURRICULUM, TRANSFER & TECHNOLOGY

Risk Management for Outdoor Programs:
A Handbook for Administrators and Instructors

Prepared by the

Centre for Curriculum, Transfer and Technology

and the

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with support from

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For further information:

www.c2t2.ca
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ACKNOWLEDGEMENTS

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INTRODUCTION

This handbook is designed for use by managers and instructors of outdoor programs in British Columbia's post-secondary institutions (mainly colleges and universities). Its purpose is to provide these staff with a risk management resource that will help them conduct operations responsibly and prevent accidents and injuries during field trips into wilderness and backcountry terrain. The typical post-secondary outdoor programs include those in outdoor recreation, physical education, natural history, and adventure tourism.

Responsible operation of outdoor programs requires an integrated, systematic approach to minimizing risk. It is not enough to consider risk and risk management at the level of program delivery alone. Risk management is the responsibility of the whole institution. Risk management is the responsibility of an institution's administration—including the faculty dean, department chairs, and program managers—as well as of instructors and even students. It is therefore imperative that every institution, from the administrative to the program level, monitor how successfully its organizational structure, policies, procedures, resources, and equipment are contributing to the effective management of risk.

Risk management is not a one-time event. It is a dynamic, evolving process of adaptation and change in response to shifting circumstances. This process ensures that outdoor programs will constantly improve—and constantly maintain a high standard and record of safety.

The risk management information presented in this handbook draws from the practices used by private and public institutions around the world. This information, however, is tailored specifically for British Columbia and its outdoor programs. The result is a comprehensive set of **minimum operating** guidelines that any of the province's post-secondary institutions offering credit or non-credit outdoor programs will find invaluable.

This handbook has applicability to both private and public post-secondary institutions. While it may have some application for secondary schools, it has been written for post-secondary programs. The book is organized into four main sections. Section 1 explains what risk and risk management mean in the context of outdoor programs. Section 2 outlines selected administrative topics of interest to deans, program managers, and instructors. Section 3 describes recommended practices for managing risks in outdoor programs. And Section 4 provides a "toolbox" of planning, reporting and documentation templates to support program managers and instructors in meeting their responsibilities.

Note that, for the benefit of instructors, sidebars are provided throughout the text, highlighting instructional tips and background information related to issues of risk and risk management in a class setting.

1 Understanding Risk and Risk Management in the Context of Outdoor Programs

1.1 RISK

Risk is the likelihood of loss or damage occurring. In outdoor settings, this loss or damage is usually thought of in terms of personal physical injury. However, risk in outdoor programs also involves the potential to negatively impact mental, social, financial, market, business, and public relations aspects of an institution or its staff. (In this handbook, when an activity that is part of an outdoor program results in loss or damage, the occurrence or event in question is referred to as an incident.)

Outdoor programs contain varying levels of risk because the risk associated with them varies both by activity and by conditions at the time an activity is carried out. For example, canoeing along the shores of a lake is considered to pose a lower level of risk than does kayaking whitewater rapids. Crossing open water in a sea kayak on a calm day has a lower level of risk than crossing in poor weather. Snow conditions may make glacier travel more dangerous in October than in April. An individual's perception of risk in a given situation and general willingness to

"take risks" are shaped by his or her previous experiences, knowledge, and even genetic predisposition (e.g., their personal comfort level with exposing themselves to risk), as well as by factors such as peer pressure and media coverage.

1.1.1 Risk Factors

Risk factors are those elements that contribute to the likelihood of an incident occurring. These fall into three categories: people, equipment, and environment (see Table 1.1). The greater the number of issues related to these factors for any given outdoor activity, the greater the chance of an incident occurring. Most serious accidents are a result of a combination of risk factors at play, not just one.[i]

Instructors and students' exposure to risk

Instructors play an important role in controlling the risk that students are exposed to. Instructors do this by:

- Balancing level of risk with level of student ability and experience.
- Presenting curriculum in a manner that leads from simple tasks to more complex.
- Consciously striving to manage the levels of risk to which students, instructors and other staff are exposed.

Table 1.1 Risk Factors Contributing to the Likelihood of Incidents Occurring
*Examples are shown in parentheses. Answers to questions such as these will
determine whether there is a decreased or increased risk for the particular factor.*

People	Equipment	Environment
Skills (what is the skill level of the instructor or guide of the group—e g., in skiing, map reading, paddling, communicating?)	***Clothing*** (is each member of the group adequately outfitted?)	***Weather*** (what is the forecast and how might those conditions—e.g., high winds, lightning, extreme dry or extreme cold— affect people and equipment?)
Attitudes (toward safety issues? are some easily affected by peer pressure? are some lacking in self-confidence?)	***Shelter*** (is it adequate for the conditions?) ***Use of safety equipment*** (are helmets, whistles, or lifejackets being worn? avalanche transceivers being used?)	***Terrain*** (is the terrain to be covered relatively easy, moderate, or challenging?)
Health and fitness (are individuals in the physical condition they need to be to perform the activity?)	***Adequacy of safety equipment used*** (are lifejackets approved? do radios work from the group's location?)	***Flora*** (is the area known to have poisonous plants or be covered in thick brush?)
Age (very young? teenage male? very old?)	***Communication systems used*** (VHF? cell phone? satellite phone?)	***Fauna*** (what is the probability of encountering wildlife species such as bears or cougars?)
Group size (is the group size manageable? is the group size realistic?)		***Drinking water quality*** (filtering system?)
Cultural background (leadership attitudes of the guide? guest risk acceptance?)		♦

1.2 RISK MANAGEMENT

Risk management, in the context of outdoor programs, is the application of procedures and practices to manage the exposure of the institution, staff, and students to risk. Those procedures and practices involve techniques

that fall into two main categories: risk control and risk finance.

Risk control techniques are used to reduce or eliminate altogether the occurrence and consequences of incidents. These techniques are aimed at achieving exposure avoidance, loss prevention, loss reduction, and loss segregation.

Instructors implement risk controls

Instructors are the primary implementers of risk controls in the field.

They must therefore carry out field-based controls such as avoiding hazards, preventing incidents, and implementing procedures to reduce the frequency or severity of potential incidents.

See Table 1.2.

Risk finance techniques are used to address financial considerations of potential incidents. These techniques involve risk transfer through insurance, contract, or participant assumption, and risk retention by the institution.

1.2.1   A Risk Management Strategy

A risk management strategy is an approach that is taken within a program to organize risk management practices into one integrated, overall plan or policy. Such a strategy requires all personnel involved in a program to be looking constantly for ways to manage program risks.

Instructors' role meeting objectives with least hazard

Risk management means that instructors are obligated to meet program objectives with the least hazardous activities available if it is possible to do so.

As content experts, outdoor program instructors may have to adjust course objectives to meet student and instructor ability or change course location to reduce risk. The problem with doing this is that it may mean no longer meeting the original curriculum goals and objectives.

The solution is to ensure that every course is appropriately designed at the beginning, and that students are suitably prepared for the curriculum planned.

1.2.2   The Risk Management Equation

Outdoor activities contain inherent risk. Risk management therefore means maintaining a balance between the level of risk associated with an activity and the objectives of the program, with the safety of students and staff being paramount. The preferred program design is one in which the aims and objectives are achieved in the least risky way. This is often known as the "risk management equation."

1.2.3   Statutory Requirements

A number of statutory requirements applying to outdoor programs are set by legislation such as the *Park Act*, *Motor Vehicle Act*, and *Workers Compensation Act.* Failure to observe these rules and regulations can result in prosecution by the relevant statutory authority.

1.2.4   Required, Common, Best, and Suggested Practice

Many operating guidelines in outdoor programs are not set by legislation, but by generally accepted procedures known as "practices." A *practice* is a common, habitual, or expected way of doing something. Some practices are developed to meet specific standards. A *standard* is a measure or required level of quality.

Practices fall into four categories:

Required practice: A practice imposed on institutions and instructors, and in which failure to fulfill the requirement may be punishable by law (e.g., failure to wear an approved bicycle helmet while cycling on British Columbia roads; operating a trip into a provincial park without a Park Use Permits; or failure to meet health and safety regulations for employees).

Common practice: A practice that is commonly used by safe and reputable operators and

instructors (e.g., belaying a rappel with novice students; using appropriately qualified guides and instructors on field trips). A common practice sometimes becomes an *industry standard* or *industry norm.*

Best practice: A "high level" practice that represents the cutting-edge application of a new technique, technology, or thought. Best practice may be above the industry's common practice, or it may come to be common practice if, after a while, industry starts to adhere to it.

Suggested practice: A practice worthy of consideration and application. A suggested practice is often a new measure that, for example, reflects developing

technology in the case of equipment, or the increasing levels of care expected of operators and instructors. Over time, suggested practice may become common practice.

The practices implemented by an institution will be influenced by factors such as:

- ❑ program philosophy;
- ❑ staffing;
- ❑ participant skill levels;
- ❑ location;
- ❑ level of program designed; and
- ❑ institutional understanding of common practice.

1.3 PLANNING OUTDOOR PROGRAMS TO MANAGE RISK

Levels of risk are controlled by both the diligence of program managers, who must attend to the administrative details required by good risk management, and the knowledge, skills, and abilities of instructors, who must deliver programs in sometimes harsh environments and difficult circumstances.

In the context of post-secondary outdoor programs in British Columbia, risks are wide-ranging and not limited to field activities. Risk management planning must therefore involve preparing for:

- ❑ Business operation setbacks (e.g., the inability to acquire a Park Use Permit or Commercial Backcountry Recreation Permit for land access; the closing of a program as the result of a student accident, escalating operational costs, or increasing tuition fees)

- ❑ Public relations impacts (e.g., the responses to an incident by the institution, the family, peers or the media)

- ❑ Claims and investigations by the Workers' Compensation Board (e.g., when staff and instructors are involved in accidents)

Many programs, even those that appear to be similar to one another, contain different levels of real risk. Consider, for example, rock climbing. The goal of one program including rock climbing may be to introduce students to top rope rock climbing through a two-day course while the goal of another program including rock climbing may be to teach students to lead multi-pitch rock climbs through a longer course. Conducting top rope rock climbing courses has readily controllable levels of risk while teaching students to lead multi pitch rock climbs has extremely high levels of risk. Both programs may advertise they include rock climbing. Thus, the use of similar terminology between one program and another does not necessarily mean they are similar programs sharing similar risks

In general, outdoor programs are described in terms of student and staff experience, instructional ratios, sources of curriculum, terrain used, emergency response resources, and equipment quality.

Table 1.2   Risk Management Through Risk Control and Risk Financing

Risk Control	Risk Financing
Exposure Avoidance Not engaging in an activity – for example, portaging around rapids rather than running them, or banning an activity such as cliff jumping from canoe trips. ***Loss Prevention*** Reducing the frequency of involvement – for example, only permitting those with a higher level of training to drive should reduce the frequency of accidents. ***Loss Reduction*** Reducing the potential severity of loss – for example, having one person at a time cross an avalanche slope rather than allowing the whole group to cross at the same time, or adopting an organizational structure that ensures that a major loss to one unit will not adversely affect another. Many outdoor businesses use holding companies and a number of incorporated entities to limit the possibility that a major loss to one business unit will affect another. ***Loss Segregation*** Segregation of responsibilities and duties that will help reduce the risk of erroneous and inappropriate actions. Sharing the planning, approval, and action functions among employees. For example, having trips planned by one person, approved by another, and having leadership decisions in the field shared among more than one guide all assist in reducing the risk of undertaking an inappropriate trip or inappropriately acting while in the field.	***Risk Transfer*** Through insurance – for example, requiring students to carry rescue and evacuation insurance will relieve the institution from having to pay rescue and evacuation costs for an injured student. Through contract – for example, leasing equipment or vehicles may transfer loss away from the user and to the owner. Through voluntary assumption of risk by participants – for example, educating participants about the risk inherent in an activity and adopting a process by which they willingly agree to accept the risk. ***Risk Retention*** Risk that cannot be transferred or controlled is retained by the institution. ♦

1.3.1 The Importance of the Program–Student Match

Matching a course curriculum (content, progression, skill level, and risk level) with appropriate participants is an important method of reducing risk in the field. This means that participants should be enrolled in an appropriate course, or that the curriculum should be adjusted to accommodate the lowest skill level of a participant. Program staff must screen applicants in order to recruit only those individuals who are suitable to the program, or change the curriculum to match the student group.

Instructor qualifications and liability

Program managers rely on instructors to know and carry out common practice in areas such as curriculum, instructional ratios, equipment use, trip planning, and emergency response.

Instructors who are not current in their knowledge expose the program to liability.

Because of the complexities and implications of changing a curriculum once students have arrived, student screening is also important so that the program can continue to meet its original goals and objectives in a safe manner. In appropriately designed programs, course content should not have to be changed while the course is in progress to accommodate students who are not ready for the curriculum. If this is occurring, the program has a poor student-to-program match.

Risk in the outdoor environment cannot be fully eliminated. If it could be, it would not accurately represent what the activities are—experiential learning opportunities in a wilderness environment that contain elements of risk. It is, however, expected that program managers and instructors will have carried out all reasonable risk management procedures to reduce the occurrence and severity of incidents.

1.3.2   Responsibilities for Planning[ii]
All college and university outdoor programs are required to adequately plan hazard prevention

Instructors role in good student-program match

The program manager relies on the expertise of the instructors to assist in matching appropriate program content with the students enrolled in the program.

The instructor must temper unrealistic program objectives with curriculum and risk levels suitable to the student group, instructors, and staff.

Ensuring congruency between program marketing, student expectations, and common practice instructional progressions is a critical part of risk management planning in outdoor programs.

and emergency response to ensure the safety of students and staff.

Duty of care obligations require institution personnel to take all reasonable steps to protect students from foreseeable risks with the potential to cause personal injury. Program managers and instructors are responsible for ensuring that activities are planned and conducted according to provincial and industrial guidelines and procedures and legislation.

The obligation to plan for the safe conduct of activities extends to planning appropriate responses to emergencies which may arise in the course of normal program activities. Not all accidents can be prevented. However, adequate planning will reduce the number of reasonably foreseeable incidents.

The effectiveness of the planning process is shown in the accident prevention rate, as well as by how people respond during an emergency when normal procedures are disrupted and individuals are confused or disoriented. To ensure an effective response, managers, staff, and students need to know what they are required to do in an emergency. Risk management planning should include:

❑ Identifying the range of emergencies possible

❑ Making program (trip) site plans

❑ Identifying potential hazards and assessing the risks to which these expose the program

❑ Defining roles and responsibilities of key personnel during an emergency

❑ Implementing reporting procedures for emergencies

❑ Implementing safety procedures for staff and students

❑ Implementing evacuation procedures

❑ Posting emergency service and contact numbers

Instructors and student-centred, safe instruction

Instructors demonstrate their awareness of students by:
- ❑ Placing student interests above self-interests.
- ❑ Using normal instructional progression when teaching redundant or repetitive activities and not introducing any elements that deviate from that progression.

- ❑ Identifying measures to prevent or mitigate the effects of emergencies (post-incident).

- ❑ Defining means by which recovery programs will be implemented (post-incident).

- ❑ Planning the integration of the program's staff health and safety policies and procedures into the institution's health and safety program. *See also "Health and Safety for Adventure Tourism" in this series.*

- ❑ Obtaining endorsement by relevant supervisory personnel (e.g., the institution's administration).

- ❑ Obtaining endorsement by health and safety authorities (e.g., the institution's health and safety officer).

- ❑ Planning the integration of the institution's procedures with those of the police, search and rescue agency, and other relevant bodies.

2 Risk Management in British Columbia Post-secondary Institutions

2.1 INTRODUCTION

Risk management in British Columbia post-secondary institutions is multi-faceted because students, instructional staff, program managers, deans and institutional administration all have roles to play. The responsibility for risk management in outdoor programs ultimately resides with the institution, the individual program manager, instructors and students.

2.2 OVERVIEW

Program managers and instructors at both public and private post-secondary institutions have varying degrees of knowledge about relating risk management practices to outdoor programs. This handbook is intended to provide those individuals with a useful base of information about common practice in risk management.

Although this handbook has been written for British Columbia's public post-secondary institutions, parts of it may provide direction to program managers and instructors working in private institutions as well. The contents of this handbook are not intended for use in secondary schools.

2.3 THE ROLES AND RESPONSIBILITIES OF PROGRAM MANAGERS AND INSTRUCTORS

The responsibilities of program managers and instructors generally fall into one of two categories: due diligence and professionalism.

2.3.1 Due Diligence

"Due diligence" (also called "duty of care") is the obligation of the institution, program managers and instructors to provide a "reasonable" level of care to students and employees. This includes duty of care owed to staff.

To meet the standard of due diligence, all reasonable precautions in the circumstances must be taken to carry out the work itself as well as health and safety responsibilities. Care and attention should be taken in:

❑ Becoming aware of **guidelines and common practice** pertaining to operating institutional outdoor programs

❑ Setting up and implementing a **health and safety program** that controls the specific hazards that instructors and staff face in outdoor programs

❑ Making students aware of—and having them acknowledge—the **risks** inherent in the program

❑ Keeping **appropriate records** of student medical information, informed consents, waivers, application forms, résumés and references

❑ Applying **professional diligence** to the development of safe, progressive, applicable, and relevant educational curriculum

❑ Hiring **suitably qualified instructional staff** who are to deliver curriculum

❑ Conducting **common practice** in curriculum design, trip planning, instruction, emergency response planning, program-student matching, and post-incident planning.

What is reasonable is broadly defined as what is "customarily" or "normally" done by others conducting similar programs. "Others" includes outdoor programs conducted by other public post-secondary institutions and groups such as private institutions, industry associations, private businesses, or not-for-profit organizations.

Where there are statutes and regulations (such as, for example, the *Workers Compensation Act* and the Occupational Health and Safety Regulation) it is not sufficient to do what is "customarily" done if this does not include complying with the applicable statutes.

Having a health and safety program—a systematic way of identifying, assessing, and eliminating or controlling risks—is critical for meeting the standard of due diligence. Employers have to take special steps to control higher risk hazards: the greater the risk, the greater the need for specific policies, practices, and other measures to control the hazard.

Table 2.1 includes a checklist that enables the program manager to see what due diligence entails.

Table 2.1
Due Diligence Checklist

What is the standard of due diligence?
Taking all reasonable care to protect the well being of students and workers.

What is the defense of due diligence?
All reasonable precautions to comply were taken in the circumstances.

The test of due diligence includes the documentation of an effective Health and Safety Program.
✔ A written health and safety program has been implemented
✔ An employer takes steps to control or eliminate specific hazards
✔ Written safe work procedures are understood and followed by workers
✔ Workers are provided with adequate instruction, training, supervision and discipline to work safely

Due Diligence Checklist
The following checklist is intended to help program managers determine if they have sufficient documentation of an effective Health and Safety Program. This checklist is only a guideline.

Part 1: Do you keep the following types of records or documents?
✔ Worker orientation records
✔ Inspection reports and records of corrective actions taken to solve problems
✔ Records of meetings and staff talks where safety issues were discussed
✔ Records showing use of progressive discipline to enforce safety rules and written work procedures

Table 2.1 continued on next page

(Table 2.1 continued)

- First aid records and medical certificates
- Health and Safety Program budget items and purchase orders
- Records of worker and supervisor training showing date, attendees, and topics covered
- Incident investigation reports and records of corrective actions taken to solve problems
- Program manager's notes and logs of safety contacts with workers
- Health and Safety Committee meeting reports showing steps taken to address health and safety issues
- Equipment log books and maintenance records
- Forms and checklists showing that the employer requires workers to follow safe work procedures
- Emergency response plan and record of drills
- Statistics on the frequency and severity of accidents

Part 2: Do your records show an effective Health and Safety Program?
Do records and documents indicate that you:
1. State and communicate a clear workplace health and safety policy?
2. Assign responsibility and resources for implementing a health and safety program?
3. Include workplace health and safety issues on meeting agendas?
4. Require contractors to conform to health and safety requirements?
5. Ensure records are maintained?
6. Review statistics on the frequency and severity of accidents, as well as injury and illness trends over time?
7. Assign responsibility for identifying hazards and conducting risk assessments?
8. Implement appropriate controls for identified hazards?
9. Implement a preventative maintenance schedule as required by manufacturers' and industry recommendations and standards?
10. Address Health and Safety Committee recommendations?
11. Review health and safety activities and make recommendations as needed?
12. Receive training to perform your health and safety responsibilities?
13. Give worker safety talks and conduct safety meetings?
14. Participate in inspections?
15. Conduct incident investigations?
16. Take action to correct reported hazards?
17. Conduct worker orientations?
18. Conduct on-the-job training?
19. Evaluate training to ensure that it is effective?
20. Monitor work conditions and practices?
21. Correct workers not following rules and procedures?
22. Keep records of progressive discipline?
23. Consider health and safety as an element in worker performance evaluations?

Do records and documents indicate that workers:
1. Receive orientation?
2. Receive job-specific instruction?
3. Receive health and safety training?
4. Demonstrate skills and knowledge necessary to perform their jobs safely?
5. Report injuries, hazards, and close calls?
6. Participate in inspections?
7. Participate in incident investigations?

When dealing with disciplinary procedures:
1. Are there disciplinary procedures in place?
2. Are workers and supervisors aware of them?
3. Are disciplinary procedures used effectively?
4. Are the procedures monitored by a Health and Safety Committee?
5. Are good records of disciplinary procedures kept? ♦

2.3.2 Professionalism

Professionalism extends beyond doing only what is legally required. It means applying a higher code of operating standards. A code of ethics will define what the professional priori-ties should be. A sample code of ethics (adapted from the Association of Canadian Mountain Guides professional guidelines) is provided in Table 2.2.

**Table 2.2
Sample Code of Ethics[iii]**

1. Education of our students in a safe manner is our prime concern. The design of the program, the implementation of the curriculum, and the actions of the staff and students must reflect this concern.
2. The safety of other wilderness users is also our concern and we should, where possible, help by responding to other parties in distress. This, how-ever, we can do only if it does not compromise the safety of our own stu-dents.
3. Our students have the right to expect all instructors to be qualified in meth-ods and techniques.
4. Appropriate and well-functioning equipment is to be used at all times.
5. Instructors must be aware of their own physical, technical, and experiential limitations and only undertake those activities that are completely within their own capabilities.
6. Program staff are at all times representatives of their institution and should conduct themselves in a manner that reflects well on the institution.
7. Instructional field staff must work and conduct themselves within the framework of the professional and terrain guidelines of the respec-tive governing association.
8. The program manager must apply appropriate risk management procedures. ♦

2.4 INSURANCE

Post-secondary education institutions will undoubtedly carry insurance. The insurer may well have provided the institution with advice and will certainly have limitations on who is covered for what kinds of incidents and how to access that coverage. All managers of field trips should be familiar with what, and who, is covered under your institution's insurance program.

If a student is injured an investigation may be required. Consult with your institutions' risk manager who may contact your insurer before beginning the investigation, particularly if a serious injury is involved.

2.5 OCCUPATIONAL HEALTH AND SAFETY PROGRAMS AND WORKERS' COMPENSATION

The WCB's mandate is to: [iv]

❑ Prevent workplace injuries and disease

❑ Rehabilitate those who are injured and provide timely return to work

❑ Provide compensation to replace a worker's loss of wages while he or she is disabled

The WCB operates under the authority of the *Workers Compensation Act.*

The first priority of the WCB is to prevent on-the-job injury and disease. Officers from the WCB investigate serious workplace accidents and consult with employers, supervisors, and workers to help them comply with the Occupational Health and Safety Regulation. The WCB also assigns officers to inspect worksites in British Columbia to make sure they comply with WCB requirements.

In the case of outdoor programs, the workplace is any location where an employee, staff member, or instructor carries out work-related duties. That includes remote wilderness and backcountry locations.

Outdoor program managers and instructors should familiarize themselves with applicable health and safety requirements and coordinate worker safety issues with their own institution's health and safety committee or officer.

Outdoor program managers and instructors have the responsibility to follow and enforce the requirements outlined in the Occupational Health and Safety Regulation. Information is available directly from the WCB by phone or mail, or through their web site found at www.worksafebc.com.

2.5.1 No Fault System

The WCB's is a no-fault system. The worker is entitled to compensation if the injury or illness is proven to be work-related. The WCB would not reduce compensation to a worker even if it were proven that he or she contributed to the injury. For example, if a ski guide was injured in an avalanche that he or she caused while working, the guide would be covered by the WCB.

Because of this coverage and the no-fault system, workers cannot sue their employers for work-related injuries and diseases.

2.5.2 Contraventions of the Health and Safety Regulation

According to the *Workers Compensation Act* and the Occupational Health and Safety Regulation, it's the employer's responsibility to implement an occupational health and safety program to prevent workplace injury and disease.

Occupational health and safety programs must meet certain standards. These standards can be met if the employer adheres to the due diligence standard of care. Occupational health and safety programs that meet this standard establish a defence when the requirements of the WCB have allegedly been violated.

How the WCB encourages compliance with its requirements.

The WCB encourages compliance with the *Workers Compensation Act* and the Occupational Health and Safety Regulation through consultation and education and by issuing orders to correct violations of the Regulation.

The WCB has the legal authority to levy monetary penalties, known as administrative penalties, on employers for failing to comply with the Act, with the Regulation, or with orders. The WCB can also stop hazardous
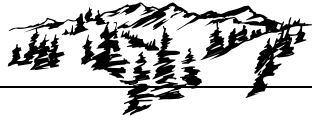
work and levy administrative penalties on employers who use work practices that pose a high risk of death, serious injury, or disease.

The circumstances in which WCB considers prosecutions.

The WCB considers prosecutions of employers, supervisors, and workers when:

❑ Violations could or did result in the death or serious injury of a worker

❑ Employers knowingly (or recklessly) expose workers to significant hazards without taking reasonable measures to ensure their well-being

❑ Workers continue to be exposed to a hazard despite repeat orders from a WCB officer, warning letters, or penalties

If the outdoor program takes a systematic approach to managing health and safety and develops, implements, and monitors a health and safety program that identifies and controls hazards, it is likely to be providing a safe workplace and is unlikely to find itself facing WCB penalties or prosecutions.

2.5.3 General Duties of the Institution as the Employer

Every employer must:

❑ Ensure the health and safety of workers at a worksite.

❑ Eliminate hazardous workplace conditions.

Instructors as supervisors

If an instructor is in charge of other staff members when taking students on a field trip, that instructor is considered to be a supervisor under the WCB Occupational Health and Safety Regulation.

❑ Ensure that workers are aware of all health and safety hazards to which they are likely to be exposed by their work.

❑ Establish occupational health and safety policies and programs.

❑ Provide, and maintain in good condition, protective equipment and clothing as required and ensure that these are used by all workers.

❑ Provide workers with the information, instruction, training, and supervision necessary to ensure their health and safety.

❑ Ensure that workers are aware of their rights and duties under the Act and the Regulation.

❑ Make a copy of the Act and the Regulation readily available for review by workers, or post a notice advising where a copy may be found.

❑ Cooperate with the board, officers of the board, and any other person carrying out a duty under the Regulation.

❑ Comply with the Act, the Regulation, and any applicable orders.

Every supervisor must:

❑ Ensure the health and safety of all workers being supervised.

❑ Ensure that workers being supervised are aware of all health or safety hazards.

❑ Be knowledgeable about the Act and those regulations applicable to the work being supervised.

❑ Cooperate with the board, officers of the board, and any other person carrying out a duty under the Act or the Regulation.

❑ Comply with the Act, the Regulation, and any applicable orders.

2.5.4 General Duties of Workers

Every worker must:

❑ Use or wear protective equipment and clothing as required by the Regulation and your employer.

❑ Conduct work according to established safe work procedures.

❑ Avoid horseplay or similar conduct that may endanger his or herself or others.

❑ Ensure that work is not impaired by alcohol, drugs, or anything else.

❑ Take care to protect the health and safety of self and others.

❑ Report any unsafe work condition to the supervisor or employer.

❑ Cooperate with the board, officers of the board, and any other person carrying out a duty under the Act or the Regulation.

❑ Comply with the Act, the Regulation, and any applicable orders.

2.5.5 Health and Safety Program

Everyone who works in an outdoor program must work safely and encourage others to do the same. However, it is the employer who must develop and implement policies and procedures to prevent workplace injury and diseases in a systematic way.

A health and safety program is usually established for this purpose. In public post-secondary outdoor programs, responsibility for drawing up these policies and procedures is that of the institution's administration and program managers.

Key Contents of a Health and Safety Program

Health and safety programs must be established in writing and must describe how the institution will manage health and safety. The written program must:

❑ Provide general direction to management, supervisors, and workers about their roles and responsibilities in providing a safe and healthy workplace.

❑ Provide specific direction to those responsible for a portion of a program.

❑ Open the lines of communication by encouraging workers to express their concerns about health and safety.

❑ Communicate health and safety policies and procedures.

Making a Health and Safety Program Effective

An effective health and safety program needs the support of management and workers and the input of a health and safety committee. It also needs to undergo regular reviews. Twelve elements contribute to a program's effectiveness.

Elements 1–6 are considered to be "proactive" because they all play a role in the recognition, assessment, elimination, and control of workplace hazards.

The occupational health and safety policies and procedures that are developed to address the hazards inherent in an adventure tourism or outdoor recreation program become part of the sponsoring institution's occupational health and safety program. These policies and procedures should be developed, implemented, and monitored in consultation with front line staff and personnel assigned the responsibility for the institution's occupational health and safety program.

Elements 7–9 are considered to be "reactive" because they play a role in responding to worker injuries, diseases, and accidents. Elements 10–12 are administrative.

1. Policy. A health and safety policy lays out the health and safety program's goals and communicates management's commitment to promoting and maintaining health and safety. It also states the responsibilities of the employer (institutional administration), managers (deans), supervisors (program managers and instructors who supervise other staff), and workers (instructors).

2. Written work procedures. Written work procedures are management's rules and directions detailing how work is to be carried out safely. In outdoor programs, these may need to be developed in conjunction with field staff

who are content experts. Work procedures may include adventure association training materials, program trip plans, emergency response plans, and program delivery policies.

Table 2.3 gives examples of common adventure tourism activities. The institution and program managers must ensure that the hazards inherent in these activities are managed in a systematic way, including providing adequate supervision and written safe work procedures, where appropriate. Be sure to consider whether each health and safety program element applies to these activities.

Table 2.4 summarizes the key points that a post-secondary institution should remember in establishing safe work procedures for outdoor programs.

Table 2.3
Examples of potentially hazardous adventure tourism activities

Adventure Activity	Hazard
Rock or ice climbing	Rock or ice fall, belaying by inexperienced students, students lead climbing
Backcountry skiing	Avalanches, inclement weather, helicopter rotors
Sea kayaking	Open water crossings, waves, wind, inclement weather, lifting loaded kayaks into the water
White water rafting, kayaking, canoeing	Flooding water, overturned boat, log jams
Hiking	Lost hiker, sprains and strains, bear contact
Gasoline stove use	Stove flare ups, burns ♦

Training of workers and supervisors. It is management's responsibility to ensure that everyone who performs a hazardous task is trained to follow the safe work procedures

that have been developed. Workers and supervisors must receive training. This may occur on-the-job or be training that the worker has received before being hired.

Table 2.4
Safe Work Procedures: Key Procedures

Some tasks require that a specific safe work procedure be followed to eliminate or minimize risks. For example, ski guides have developed a procedure for identifying and assessing avalanche hazard, route finding, and guiding clients in avalanche terrain.

Not all tasks require a written procedure. Sometimes safety issues can be addressed verbally when training a worker. In deciding whether or not a written procedure is required, consider the following:
- How severe would the consequences of an accident be?
- How often is the task done?
- How complex is the task?

In general, written procedures are required for:
- Hazardous tasks
- Complicated tasks, to ensure important steps don't get missed
- Frequently performed tasks
- Less routine tasks, to ensure the hazards and safe way of doing things aren't forgotten

The following are some of many examples of activities in the adventure-tourism industry where you should consider providing written safe work procedures.
- Loading rafts onto trailers
- Putting loaded sea kayaks into the water
- Operating gasoline stoves
- Digging a snow profile pit
- Loading skis into a helicopter ski box
- Emergency rescue and evacuation
- Person check when working alone or in remote locations

See also the appendix in the publication "Health and Safety for Adventure Tourism", which contains hazard alerts on examples of areas where you may need to develop safe work procedures.

To develop a written safe work procedure, follow the steps below:
1. Determine the overall task for which the safe work procedure is needed.
2. Break down the overall task into its basic steps.
3. Identify the hazards associated with each basic step.
4. Identify actions to minimize the risks to workers from the hazards.
5. Prepare a list of the actions that workers must do when performing the task

Example: Developing a safe work procedure for loading skis into a helicopter ski box.

As an example, let's take a look at developing a safe work procedure for a common activity in winter guiding—loading skis into a helicopter ski box.

Overall tasks and basic steps
The overall task can be stated as follows: bundle the skis into pairs, stack the skis into a pile beside the helicopter, and transfer them into the helicopter ski box for transport.

The basic steps are:
1. Prepare the work site
2. Stack the skis where the helicopter will land
3. Transfer the skis from the stack into the ski box
4. Close and lock the ski box

(Table 2.4 continued)

Hazards and risks
The following table summarizes the hazards associated with each of the basic steps and suggests ways to minimize the risks from these hazards.

Basic step	Hazards	Ways to minimize hazards
Prepare the work site	Working in deep, unconsolidated snow makes it easy to twist knees and ankles.	Pack a landing pad before you and your guests remove your skis in order to make a smooth, packed working surface.
Stack the skis where the helicopter will land	Working with skis around helicopters can be dangerous if the skis contact the helicopter rotors or if debris is sucked into the engine.	Do not stand skis upright, lean them on the helicopter, or raise them above your head. Shut the helicopter rotors down before loading. Knock the skis together to clear the skis of snow when stacking them
Transfer the skis into the helicopter ski box	Skis can be very heavy, particularly when covered in wet, sticky snow. Ski guides can lift dozens of pairs of skis a day in and out of helicopter ski boxes and can seriously hurt their backs. Helicopter ski box lids can be heavy and can fall onto the arms and hands of guides while loading skis into the box.	Lift one pair of skis at a time into the helicopter ski box to reduce the weight lifted each time. Use proper lifting technique when lifting the skis; bend your knees and do not twist your upper body while lifting. Lock the ski box open with its locking mechanism before loading skis.
Close the ski box		Shut and lock the box with caution when finished loading the skis.

(Table 2.4 continued)

Sample safe work procedure for loading skis into a helicopter ski box.

1. Pack a landing pad to use as a work site.
2. Stack the skis in pairs beside where the helicopter will land.
3. Knock excess snow off skis before stacking them.
4. Shut the helicopter rotors down before loading.
5. Do not lift skis above your head around the helicopter.
6. Ensure there is no lose clothing, plastic bags, or other debris that can get sucked into the engine air intake port.
7. Lock the ski box open with its locking mechanism.
8. Lift one pair of skis at a time into the helicopter ski box to reduce lifted weight.
9. Use proper lifting technique.
10. Shut and lock the box with caution. ♦

Training that a program instructor has received before coming to the institution should be supplemented by institution- and program-specific health and safety training.

Table 2.5 summarizes the key points that a program manager should remember in providing worker training for outdoor program instructors.

The WCB uses the term "Health and Safety Program" to encompass the entire risk management planning process developed by the adventure industry. While the WCB is primarily concerned with the health and safety of workers, much of the common adventure tourism industry terminology revolves around the health and safety of guests. In the terminology of the WCB, a health and safety program encompasses the following more commonly used adventure industry terms:

- ❑ a risk management plan

- ❑ a trip plan

- ❑ a emergency response plan

- ❑ instructor emergency protocols

- ❑ a media plan

- ❑ a post-incident plan

In the end, it is the same risk-management process.

Don't be thrown off by terminology!

Table 2.5
Key Points to Worker Supervision, Orientation & Training

Supervision

Workers in institutional outdoor programs may find themselves in a situation of supervising co-workers even if they don't have the title of supervisor. This may also be the case when a full-time faculty member oversees part-time instructors. The WCB considers any instructor who oversees an assistant to be a supervisor. *All supervisors are responsible for ensuring the health and safety of those they supervise.*

A supervisor's responsibilities include:
- ❑ Explaining the hazards of the job
- ❑ Instructing new workers in safe work procedures
- ❑ Ensuring that workers have been trained for all tasks assigned to them, including all safety precautions and safe work procedures
- ❑ Ensuring that any safety equipment and personal protective equipment is maintained and in good working order
- ❑ Ensuring that all materials are properly stored and handled
- ❑ Enforcing health and safety requirements
- ❑ Correcting unsafe acts or conditions observed or reported by workers
- ❑ Monitoring worker performance and well-being constantly
- ❑ Setting a good example in following safe work procedures (for instance, by using personal protective equipment)
- ❑ Checking the progress and observing the new worker on the job:
  - Monitor the worker to ensure that safety standards are maintained.
  - Make unscheduled visits.
  - Correct unsafe work habits.
  - Reinforce and recognize good work habits.

Orientation and Training

When hiring new workers, provide them with a safety orientation to the worksite before they start work. During the orientation:
- ❑ Explain that they should not be performing any task they are not trained to do safely.
- ❑ Encourage them to ask questions whenever they are unsure of anything.
- ❑ Make sure that they know who the members of the health and safety committee are and how to contact them.

Explain:
- ❑ Potential hazards on the job
- ❑ Their responsibilities and any restrictions on their activities
- ❑ How to report any potential hazards and unsafe work conditions
- ❑ How to get first aid
- ❑ How to report injuries, accidents, and close calls
- ❑ Location of emergency supplies, and rescue and evacuation procedures ♦

4. Management and supervision of workers. The supervisor's first responsibility is to ensure that workers have been properly instructed and directed in the safe performance of their duties. Training will help satisfy this first responsibility (see #3 above). A supervisor's second responsibility is to ensure that trained workers follow the directions provided.

Managers have responsibilities to ensure the health and safety program is properly directed and controlled. These include:

❑ Monitoring the implementation of the program.

❑ Discussing health and safety issues at regular management meetings.

❑ Ensuring that health and safety is given adequate consideration in all management decisions.

❑ Developing a system of progressive discipline to be used if workers deliberately ignore safety rules and regulatory requirements.

5. Regular safety inspections. The identification of hazards—existing or potential—is an ongoing task because the wilderness environment is a dynamic place where many changes occur. Some changes occur slowly (such as gradual wear and tear on equipment). Some changes occur because a process is modified or a new task is added. Regular inspections provide the means to monitor the

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Instructors and chemicals

When handling chemicals, use all the personal protective equipment recommended by the manufacturers and required by the employers.

❑ Read the labels on chemicals and the material safety data sheets (MSDSs) that accompany them.

❑ Ensure safe work practices are used.

❑ Store chemicals in a properly ventilated, locked area and post warning signs.

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workplace for changing or unsafe conditions and unsafe acts. The results of these inspections can lead to changes in written work procedures (#2 above), in training (#3 above), and in supervision (#4 above). Table 2.7 summarizes the key points that a supervisor in a post-secondary institution should remember in conducting regular safety inspections of outdoor programs.

6. Hazardous materials and substances. In a health and safety program, all workers must be able to recognize the harmful substances and materials they might encounter in their work areas. When handling chemicals, use all the personal protective equipment recommended by the manufacturers and required by the employers.

The WCB website has information on the Workplace Hazardous Materials Information System (WHMIS), which is designed to provide you as an employer with the information you need to know about WHMIS and the responsibilities you have to ensure that workers:

❑ Know how to handle, use, label and store these types of products properly

❑ Understand how to read WHMIS labels

❑ Have access to proper Material Safety Data Sheets (MSDSs)

❑ Are adequately educated and trained about controlled products

7. Medical examination and monitoring. In some cases, the health of workers must be monitored to determine if working conditions have caused or may cause an occupational disease. An example includes workers who may have had contact with an infectious organism (e.g., hepatitis B and C viruses, and HIV).

8. First aid. The purpose of first aid is to provide workers with prompt, accessible,

Table 2.6
First Aid: Key Points

> All outdoor program courses must have a first aid kit on site. The type of kit and the need for a first aid attendant will depend on the number of instructors and the travel time to the nearest hospital.
>
> Every worker must be made aware of where the first aid kit is located and how to call the first aid attendant when required. All first aid attendants must hold a first aid certificate of the level necessary for the workplace.
>
> Written procedures (sometimes called an evacuation plan) are required for transporting injured workers. These procedures should be posted in the workplace and field staff trained in how to implement the plan. An evacuation plan should include:
> ❑ Who to call for transportation
> ❑ How to call for transportation
> ❑ What routes to take in and out of the workplace and to the hospital ♦

appropriate first aid treatment, and to keep records of each treatment. Effective first aid programs lower employers' staffing costs and WCB claim costs because minor injuries can be treated at the worksite. In a health and safety program, this element addresses how first aid will be administered in the workplace to comply with occupational first aid requirements. Wilderness first aid qualifications may not meet WCB first aid requirements. Table 2.6 summarizes the key points that a post-secondary institution should remember in providing appropriate first aid for its outdoor programs.

9. Investigation of incidents, accidents, and diseases. It's an unfortunate circumstance when a worker gets hurt on the job. It's even worse, however, if no attempt is made to find and correct the cause that led to the accident and worker injury.

If the cause of the accident is not corrected, more workers may be injured in a similar manner. Every health and safety program should identify how investigations of incidents, accidents, and diseases are to be conducted in order to find the causes and prevent recurrence. The Occupational Health and Safety Regulation defines an incident as "an

accident or other occurrence which resulted in or had the potential for causing an injury or occupational disease." Incidents include:

❑ Near-misses – an incident in which there was no visible injury or damage, but the incident could have resulted in a serious injury, death, or property damage.

❑ Accidents in which no one is hurt but equipment or property is damaged.

❑ Accidents in which a worker is injured or killed.

Table 2.8 summarizes the key points that a post-secondary institution should remember in reporting and investigating accidents for outdoor programs. Refer to Section 2.7.1 Near Misses for more information on this topic.

10. Health and safety committee. A health and safety committee monitors health and safety and makes recommendations to management on improvements. To complement the institution's health and safety committee, an outdoor program may wish to create its own sub committee so that health and safety issues specific to adventure tourism programs can be managed locally. This sub committee should be created in consultation with the institution's joint health and safety committee.

Table 2.7
Safety Inspections: Key Points

Inspect the workplace regularly.
- ❑ Besides correcting any hazards that you observe from day to day, set aside time for regular workplace inspections and then eliminate or control any hazards found. Inspection is an ongoing task because the workplace is always changing.

When to inspect
- ❑ Inspect your work place often enough to prevent unsafe working conditions from developing. In post-secondary institutions, this may be before each trip and at the start of each semester. Also assess your workplace when you've added a new course or when there has been an accident or close call.

Who should inspect
- ❑ A worker member of the health and safety committee, or another worker, should conduct the inspection with you. Coordinate inspections with the institutions health and safety office and Joint Health and Safety Committee.

How to inspect
During an inspection:
- ❑ Use a checklist to ensure that your inspection is both thorough and consistent with previous inspections.
- ❑ Ask yourself what hazards are associated with the activity that you are observing.
- ❑ Check that safe work procedures are being followed and that personal protective equipment is being used.
- ❑ Talk to workers about what they're doing. Ask about safety concerns.
- ❑ Ask workers how they perform their tasks.
- ❑ Record any unsafe actions or conditions that you observe.

What to inspect
Examples of what to look for when doing a safety inspection:
- ❑ Improper care, storage, or maintenance of equipment
- ❑ Inadequate worker training
- ❑ Lack of first aid and emergency response equipment available on site
- ❑ Poor worker decision-making
- ❑ Lack of care and attention to environmental hazards
- ❑ Inadequate use of personal protective equipment
- ❑ Isolated worker communication procedures

After the inspection, take action!
- ❑ Remedy serious hazards or unsafe work practices immediately. For example, if you find poor records of equipment use being kept, immediately implement correct log procedure.
- ❑ Classify hazards according to priority and assign someone to remedy each
- ❑ Follow up on any action that will need time to complete (for example, purchase of new equipment)
- ❑ Communicate your findings to the workers. ♦

11. Records and statistics. Records and statistics help identify trends, unusual conditions, and problem areas. They are compiled to provide a performance measurement of the health and safety program and to guide the organization into setting goals. Examples of records and statistics that should be kept include:

- ❑ Accident and incident reports
- ❑ Hazard reports
- ❑ Training records
- ❑ First aid treatment book
- ❑ Equipment log books
- ❑ Maintenance records
- ❑ Statistics on the frequency and severity of accidents
- ❑ Health and safety meeting records

Table 2.8
Reporting and Investigating Accidents: Key Points

Employers must report to the Compensation Services Department of the WCB any injuries and occupational diseases that may result in compensation or medical benefit being paid. Such a report must be made on a prescribed WCB form, within three business days of the day the worker reports the accident to the employer, or the day the employer became aware of the accident—whichever is earlier.

Employers must also report immediately the following types of incidents to the WCB's Prevention Division, whether there is an injury or not:
- ❑ Any incident that kills, causes risk of death, or seriously injures a worker
- ❑ Any blasting accident that results in injury, or any unusual event involving explosives
- ❑ A diving incident that causes death, injury, or decompression sickness
- ❑ A major leak or release of a dangerous substance
- ❑ A major structural failure or collapse of a structure, a piece of equipment, a construction support system, or an excavation
- ❑ Any other type of serious mishap

Provisions for after-hours reporting must be made to cover serious incidents, which must be reported immediately to the WCB Prevention Division.

It is against the law for an employer to persuade or attempt to persuade a worker not to report an injury, disease, death, or hazardous condition to the WCB.

Conducting Accident Investigations
Employers must undertake an investigation immediately into the cause of any accident or incident of the nature listed above. Employers must also ensure that the scene of an accident is not disturbed unless it is necessary to do so to attend to injuries or fatalities, to prevent further injuries or death, or to protect property that is endangered by the accident.

Program managers need to know what their institution's policies and procedures are for accident investigations. Program staff will have to coordinate their actions with the institution's health and safety office (or committee) to ensure they follow institutional requirements.

Reporting injuries to the WCB
Call 604-276-3100 or toll-free 1-888-621-SAFE (7233). To report after-hours and weekend accidents, call 604-273-7711 or 1-866-922-4357 (WCB-HELP). ♦

12. Review of the health and safety program. A systematic and critical examination of the entire workplace should be carried out at least annually. A review is intended to examine the extent and effectiveness of existing health and safety activities and to identify deficiencies. A summary checklist for health and safety programs for outdoor programs can be found in Section 4.

2.6 LAND ACCESS AND PERMITS

Land access is both a legal and strategic risk management issue for providers of institutional outdoor programs.

It is a legal issue when the government requires the program to hold a permit allowing for use in a particular area. If necessary, a program must hold a permit before legal operations can begin on the land base in question.

It is a strategic risk management issue when an institution needs to hold land use permits to protect its present and future operating base. It may be advantageous for an institution to hold land use permits for strategic purposes, although they may not be legally required to do so.

2.6.1 Land and Water BC

Land and Water BC, Inc. (LAWBC) manages a Commercial Recreation Permit scheme for commercial providers of recreation and tourism products in British Columbia. This scheme applies on all provincially owned land in the province that is not a designated provincial park.

Public post-secondary institutions are legally required to hold LAWBC Commercial Recreation Permits in order to operate on provincially owned land. There are also strategic reasons as to why an institution may do so.

2.6.2 BC Parks

BC Parks manages a Park Use Permit scheme that applies to commercial providers of recreation and tourism products in British Columbia. This permit scheme applies to all parks owned by the province.

Public post-secondary institutions are considered by BC Parks to be a "commercial user" and *are* required to hold the appropriate Park Use Permit in order to operate in a provincial park.

2.6.3 National Parks

The National Park Service manages a Park Use Permit scheme that applies to commercial providers of recreation and tourism products in national parks, including those in British Columbia. This permit scheme applies to all federally owned parks. Public post-secondary institutions are required to hold Park Use Permits in order to operate in national parks.

2.7 ADMINISTRATIVE RECORD-KEEPING

Effective and thorough administrative record-keeping of educational and program documents is critical should such programs ever have to defend a claim against them. Good record-keeping involves:

❑ Developing suitable educational, marketing, informed consent forms, and other program documents.

❑ Providing these documents to students.

❑ Collecting these documents after they are properly completed by the student.

❑ Securely storing and retaining these documents.

An insurer may defend most claims against an institution for incidents arising from problems in an approved program. In the event of an incident, consult with your risk manager and/or insurer.

The WCB also has record-keeping requirements that must be followed. Careful record keeping can be helpful in establishing that a program has developed an occupational health and safety program and implemented it. This is important if an employer needs to establish a defence of due diligence in the event of a serious accident.

Some examples of the types of records employers are required to keep are:

❑ Accident and incident reports

❑ Inspection and hazard reports

❑ First aid records

❑ Education and training records

For more information on record-keeping, consult the institution's health and safety officer, refer to the Occupational Health and Safety Regulation, or contact the WCB.

In the case of accidents involving students, lawsuits can be filed years after an incident. Therefore, records are vital. Systems should be

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Instructors' trip records

Instructors should keep their personal trip records for at least seven years, or give them to the program manager for safekeeping. These records include:

❑ Trip and evacuation plans
❑ Trip logs
❑ Weather logs
❑ Snow profiles
❑ Observations about students
❑ Marking sheets

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put in place to capture and hold the following documents for a period of at least seven years after a student has completed his or her last course at the institution:

❑ Student résumés and references

❑ Student medical forms

❑ Student consent or release forms (there may be more than one if a student signs multiple forms over time)

❑ Student course and program evaluations

❑ Incident report, accident report, and close call forms

❑ Student practicum contracts and evaluations

2.7.1 Near Misses

Near-misses are close calls where, although no one was injured, a slightly different set of circumstances could have resulted in serious injury. This may include the avalanche that a skier skis out of, the rock fall that just missed the climber, the driving accident narrowly averted, or the belay that failed but caused no injury. Near-misses are incidents that are often averted more by luck or good fortune than by good management.

In outdoor programs, near-misses occur more often than accidents. Near-misses are generally more reflective of a program's operating guidelines than are statistics of actual accidents or injuries. A program manager should collect information on near-misses and adjust programs accordingly. This is part of the due diligence management process. The last thing a program needs in an accident defence is evidence that near-misses and close calls occurred with relative frequency but were not acted upon by program staff.

When gathering near-miss information, program managers should take into account that students are often better reporters of near

misses than instructional staff (who may view reporting near-misses as a slight upon their performance and instructional ability). Program managers should therefore emphasize to instructional staff the importance of reporting near-misses. They should also reassure instructional staff that the purpose of reporting near misses is to prevent their recurrence, not to question the ability of staff. Near misses involving staff or volunteers should be reported as they might become instrumental in the prevention aspect of employee health and safety. Refer also to the Health and Safety Program section above regarding which type of near miss must be reported to the WCB.

2.8 Student Practicum Work Placements

Institutions face unique challenges each year when they try to arrange practicum placements for their students. A practicum is a paid or unpaid supervised work experience that takes place at a host employer's premises or place of business. Many outdoor programs include practicum experience as a necessary part of their course requirements.

Institutions have responsibilities to both students and host employers in connection with practicums. Specific agreements that outline the responsibilities of all the parties involved should be put in place.

An institution must ensure that its students are prepared for their practicums, are aware of the expectations of the placements, and are prepared to work cooperatively and take instruction from their employers. Students must be informed as to the requirements of confidentiality in the workplace. Host employers must be aware of the level of instruction a student has received and the nature of the work the student is able to complete. A host employer should then require a student to perform only tasks that are within the scope of his or her training and ability.

An institution should also establish lines of communication between itself and the practicum host employer. The agreement between them should clearly outline the roles and responsibilities of both the institution and the employer and contain appropriate indemnity and insurance clauses. Each party should agree to be responsible for third-party liability claims arising out of its own negligence, including the negligence of employees, in the case of the host employer, and students, in the case of the institution. The institution should avoid accepting responsibility for any other acts or omissions of students (for example, damage caused by a student to the employer's property).

The institution should not assume responsibility for instruction given by the employees of the practicum host. These employees will be instructing, supervising, and directing students during the placement, and the institution must avoid indemnifying the practicum host for acts or omissions of students that are at the direction of the employees of the host employer.

The institution will need to be satisfied that a specific placement meets the necessary standards to qualify as a legitimate practicum. This is equally important with out-of-province or out-of-country placements if the student is expecting to return to British Columbia and meet the employment expectations for a graduate of a specific program.

Agreements must contain very clear clauses stating what insurance the institution and the host employer must each maintain. Reasonable limits must also be set. Both parties will

then have the comfort of knowing that insurable risks have been properly addressed.

Table 2.9 shows sample clauses that should be included in any formal agreement used by an institution with work practicum employers. These clauses should be incorporated into all agreements between the institution and employers.

Table 2.9
Sample Clauses for Practicum/Work Agreements

Indemnity Agreement Clause
The institution agrees to indemnify and hold harmless the employer, its employees and agents from any and all claims, demands, actions, and costs whatsoever that may arise out of the negligent acts or omissions of the institution, the institution's employees or agents, or the students, in their performance of this agreement, unless such negligent acts or omissions are at the direction of or occasioned by the employer, its employees, or agents.

The employer agrees that it will not require any student to perform any task unless such task might reasonably be expected to be within the scope of the student's training and abilities.

Liability Coverage Clause
The institution shall maintain liability coverage to protect the institution, the institution's employees and agents, and the students during their performance of this agreement.

The institution will not be responsible for any loss or damage to the employer's property unless such loss or damage is due to the wilful acts or omissions of the student or is caused by the student acting outside the student's authorized duties. ♦

2.9 HUMAN RESOURCE MANAGEMENT

The hiring and supervision of appropriate instructional staff is the key to safe operation of outdoor programs taking place in a wilderness environment with unique hazards. To effectively lead groups and facilitate quality educational experiences, a high level of instructional experience and expertise is required.

Neither extensive field experience nor a post-secondary diploma or degree necessarily qualifies someone to leading field trips. Neither does certification although this may be desirable. Ideally, a qualified outdoor instructor in post-secondary outdoor programs is someone who:

❑ Has demonstrated instructional skills.

❑ Has extensive prior instructional experience in the activity at the level being taught.

❑ Has extensive prior trip-leading experience in similar activities if the activity is a multi-day trip.

❑ Shows demonstrated good judgement, developed from long-standing field experience.

❑ Has extensive prior field experience in a variety of operating conditions and locales.

Instructor qualifications & experience

Instructors in post-secondary outdoor programs are required to have adequate and defendable qualifications and experience before leading field trips. This may include a varying combination of relevant post-secondary education, field experience, and industry certification. A program manager must apply due diligence to ensure that all instructional staff are appropriately qualified.

❑ Has external certification of technical ability in the activity being taught (by an external third party—that is, an industry-governing body recognized as an authority by the court).

❑ Operates within the professional and terrain guidelines of a recognized governing body.

❑ Holds an advanced wilderness first aid qualification from an industry-recognized wilderness first aid provider, if acting as a senior instructor or trip leader; or holds at least a basic wilderness first aid qualification from an industry-recognized provider, if acting as an instructional assistant.

❑ Is trained in appropriate hazard evaluation and emergency situation management and response for the activity being taught. According to the WCB, "qualified" means being knowledgeable about the work, the hazards involved, and the means to control the hazards, as a result of education, training, experience, or a combination of all three.

Program managers are responsible for ensuring that instructors are qualified for the activity being taught.

2.9.1 Instructor résumés

Program managers should ensure that they have an updated résumé on file for each instructor. These should be kept for at least

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Instructor résumés

An instructor's résumé should clearly show
all relevant:
❑ Education
❑ Training
❑ Certification
❑ Teaching experience
❑ Trip leading experience
❑ Emergency response experience

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seven years from the date of the course given if there is any possibility that there might be a claim against the institution from that course.

2.9.2 Employee or Self-Employed?

Many post-secondary outdoor programs have relied extensively on hiring field instructors through contract, with the intent that the instructor be "self-employed." Programs hire by contract for a number of reasons. One of these is the belief that contract instructors are not employees because they operate independently when they are working on out-trips not supervised directly by the institution. Other reasons are the beliefs that hiring by contract requires less administrative work, is less expensive, and transfers liability from the institution to the instructor. In most cases, this type of hiring is done without the institution fully understanding that all of these justifications may be wrong in the long term, and the resulting tax liability could impact the institution severely.

There are two forms of employment contract. A *contract for service* is where a self-employed individual agrees to carry out work in return

Instructors and employment status

Instructors should know their employment status. The instructor retains a much higher level of litigation risk if deemed by a court to have been "self-employed" at the time of an accident.

- Control
- Ownership of tools
- Chance of profit/loss
- Integration

In order for a worker to be considered self-employed, all four tests must be passed. Each case will be determined upon the facts of each specific situation.

for payment. There is no employer or employee. A *contract of service* is where an employee agrees to work on a full-time or part-time basis for an employer for either a specified or unspecified length of time.

The employer has the right to decide where, when, and how the work will be done.

Many outdoor programs mistakenly believe they have entered into a contract for service, yet an audit by Canada Customs and Revenue Agency (CCRA) would likely rule that the worker in question was an employee (contract of service). There are four primary tests used by the CCRA to determine whether a worker is self-employed or an employee. They are:

1. Control. Usually, in an employer-employee relationship, the employer controls, directly or indirectly, the way the work is done and the work methods used. If the employer does not directly control the worker's activities but has the right to do so, the notion of control still exists. Generally, the payer exercises control if he or she has the right to hire or fire, determines the wage or salary to be paid, and decides on the time, place, and manner in which the work is to be done. If "control" is exercised, an employer-employee relationship likely exists.

An institution might not be considered to be in control if it contracts a first aid course provider to deliver a first aid course on certain dates but has no say in:

- Who the business will provide to be the course instructor
- What is delivered in the course curriculum
- Where off-campus the instructor takes the students
- How the course is taught

2. Ownership of Tools. Instructors should know their employment status. The instructor retains a much higher level of litigation risk if deemed by a court to have been "self-employed" at the time of an accident. In an employer-employee relationship, the employer generally supplies the equipment and tools required by the employee and the guest. In addition, the employer covers costs such as repairs, insurance, transport, rental and operations (e.g., fuel). If the payer supplies worker or guest equipment an employer-employee relationship likely exists.

An institution that "contracts" an instructor to teach a canoe course but provides the canoes, paddles and lifejackets might be considered an employer.

3. Chance of Profit or Loss. Generally, in an employer-employee relationship, the employer alone assumes the risk of loss. An employee does not assume any financial risk. If a worker does not assume risk of financial loss, an employer-employee relationship likely exists.

A worker who has no way of making or losing money over and above a fee that is paid as a daily rate is likely to be considered an employee.

4. Integration. Integration is considered from the point of view of the worker, not the payer. Where a worker integrates his or her activities to the commercial activities of the payer, an employer-employee relationship probably exists. The worker is acting on behalf of the employer if he or she is connected with the employer's business and is dependent on it.

The institution that is buying a pre-formatted and pre-packaged climbing course from an established climbing business may be entering into a true contract, but if the climbing instructor is fitting into the institution's program structure he or she may be considered an employee.

The WCB's definition of employee or contractor may vary. The WCB definition of employee versus contractor might differ from the ones used by other organizations such as the Canada Customs and Revenue Agency.

No assumptions should be made when it is not clear if the WCB would consider an instructor an employee or a contractor. It is the responsibility of the program manager to verify the instructor's status with the WCB's Assessment section.

All workers are covered when an employer is registered with the WCB, including:

❑ Anyone employed in the institution on a full-time, part-time, or casual basis.

❑ Labour contractors not registered with the WCB.

Table 2.10 defines labour contractors in more detail and gives information about registering with the WCB.

Who is responsible for health and safety? An important prevention requirement that program managers should be aware of when hiring contractors is that the institution as the "prime contractor" has the responsibility to coordinate health and safety activities. You must "do everything that is reasonably practicable" to set up a process or system to ensure that the WCB's requirements are complied with, just as you do with employees.[v]

Table 2.10
Labour Contractors and the WCB

Labour contractors (subcontractors) are considered by the WCB to include unincorporated individuals or partners who provide labour, services, or revenue-producing equipment to another organization, business, or person.

Labour contractors' registration with the WCB is permitted but not mandatory. If subcontractors decide not to register, they and their employees will be covered by the prime contractor's (post-secondary institution) WCB registration. The post-secondary institution would then be responsible for paying WCB premiums or reporting any work-related injuries.

For more information, go to the Employers Centre on the WCB web-site at www.worksafebc.com

To determine whether or not labour contractors are registered with the WCB:
- ❑ Ask them if they carry their own compensation coverage, and ask for their WCB account number.
- ❑ Verify that they're registered with the WCB by going to the WCB's clearance letter service.
- ❑ It's up to you – the prime contractor – to determine if a labour contractor is registered.

If labour contractors are not registered with the WCB:
- ❑ They will be covered by your institution's WCB registration.
- ❑ The gross amount of the contract must be included with your institution's assessable payroll.

Labour contractors who are registered with the WCB
If you hire a labour contractor who is registered with the WCB, but who is late with payments to the WCB, your institution could be liable for insurance premiums owing in connection with the work or service being performed on your behalf.

You should request a clearance letter before a labour contractor starts working for you, and again before you make the final payment. A clearance letter tells you whether a business, contractor, or labour contractor is registered with the WCB and paying regular premiums.

Voluntary WCB coverage
The following people are not automatically covered by the WCB and may apply for Personal Optional Protection coverage:
- ❑ A proprietor and spouse, when the business is not an incorporated company
- ❑ Partners, when the business is not an incorporated company
- ❑ An independent operator who is neither an employer nor an employee ♦

2.10 HUMAN RIGHTS

The *Human Rights Act* prohibits discriminatory practices by colleges, universities, and institutes (as public facilities) against any person, or class of persons, in any area of accommodation, service, or facility that is customarily available to the public, because of their race, colour, ancestry, place of origin, religion, marital status, physical or mental

> **Instructors and human rights**
>
> Instructors must ensure they understand what type of language, actions, or behaviour constitutes harassment or discrimination.

disability, sexual orientation, or sex. Individuals may not be discriminated against for any of the protected grounds. One of the most common student complaints in outdoor programs is sexual harassment by instructors or other students on field-based trips.

Under the Human Rights Code, a Tribunal is empowered to hear evidence concerning a complaint and has the power to order a college, university, or institute and its employees to implement remedies and/or to perhaps pay financial compensation to a person discriminated against. These damages can amount to thousands of dollars.

2.11 PROGRAM EVALUATION

Evaluation is an important risk management tool because it identifies curriculum, staffing, and safety issues that need to be addressed, and can form the basis for ongoing program adjustments. Program evaluation is part of the due diligence requirements of a program manager, and the documentation of program evaluation may be helpful in the event of an accident. Programs should be formally evaluated at least annually for health and safety purposes.

2.11.1 Review Process

A number of levels of program evaluation may be carried out. The level used should depend on the position and need of each individual program.

Levels of program evaluation:

1. Self-evaluation and training. The first level of evaluation serves as the foundation of all risk management planning. It is probably best exemplified by an instructor who, after each

activity and course, thinks about what has transpired and consciously makes specific adjustments. This process of self-evaluation, in conjunction with ongoing personal training, is the basis for the continual updating of professional judgement.

2. Internal evaluation and training. The second level of evaluation takes place with other staff and administration at the beginning and end of each significant program segment.

3. External information sources. The third level of evaluation, learning from knowledgeable external sources, involves the informal sharing of ideas and gaining of new experiences when staff meet with peers, attend conferences, participate in appropriate training sessions, and go out on their own trips.

4. Outside consultation. The fourth level of evaluation contributes to the quality of programming, enhances staff training, and leads to the setting up of new course areas and activities.

5. External program review. The fifth level of evaluation, often called a peer review, involves the bringing in of outside expertise. Programs may be forced to obtain an outside consultation and an external program review "after the fact"—that is, usually following a serious accident. When used after a serious accident, reviews serve in a quasi-legal capacity, often becoming part of an insurer's decision regarding how to defend a case. External program reviews are also an invaluable tool for institutional administration to use in making decision about the future of the program.

2.12 EQUIPMENT

Suitable equipment must be provided for participants and staff of outdoor programs. For group or personal student equipment, program staff must ensure that:

❑ The quantity of equipment is adequate for the activity.

❑ The equipment was manufactured for the purpose in which it is used.

❑ The equipment is in good condition, and has been repaired and maintained as required.

❑ The type and amount of use an item has received can be documented (this may be through a log book or other proof).

❑ Equipment is retired as required (e.g., climbing ropes, even if they have received no use at all.

❑ All customary safety adjustments are made to equipment (e.g., ski bindings and flotation in kayaks and canoes).

❑ All necessary safety, first aid and emergency response equipment is readily available to support an activity.

Under WCB requirements for equipment use and maintenance, the employer is responsible for providing all items of personal protective equipment required by the Occupational Health and Safety Regulation at no cost to the worker. However, the worker is responsible for providing basic clothing needed for protection against the natural elements.

Employers must also maintain in good condition any protective equipment, devices and clothing as required by the Regulation, and ensure that they are used by workers. The Occupational Health and Safety Regulation also requires that machinery, tools, and equipment be inspected in accordance with the manufacturer's recommendations or as otherwise specified by regulation.

Instructors and equipment standards

Instructors should ensure that appropriate equipment is on location for all outdoor activities and that it is in good condition and meets standards required with respect to WCB regulations. Any damage or concerns relating to equipment should be reported to the program manager.

2.13 RELEASES, WAIVERS AND INFORMED CONSENTS

Being aware that risks cannot be eliminated completely, responsible outdoor programs should seek to manage their risks, eliminating those they reasonably can and reducing the frequency and severity of those that are unavoidable. Releases, waivers, and informed consents are instruments that institutions can use to mitigate the liability risk connected with some student activities.

Most activities in which students are required to participate as part of the curriculum are not especially risky. The risk management techniques used with these activities are those of normal conscientious equipment maintenance and good housekeeping expected for safety and loss control—for example:

❑ Instructors providing appropriate instruction and ensuring that the equipment and tools necessary for their courses are properly maintained and used

❑ Administrative and facility maintenance staff ensuring that premises and grounds are maintained in a reasonably safe condition, consistent with the standards required by the *Occupier's Liability Act*

❑ All staff using suitable vehicles in good condition that are driven by experienced and qualified drivers

Instructors remind students about risks

Instructors should adopt an instructional style that educates, warns, and asks for "buy-in" from the student when embarking on high-risk activities. A competent instructor is able to demonstrate that students were aware of the risks and potential consequences before participating, and participated voluntarily in the activity. This message should be repeated daily at the program level, individual course level, and individual trip level, and repeated during the activity.

Some outdoor program courses, however, include activities with risks that go beyond those of the regular classroom, laboratory, library, or shop. The manager of an outdoor program needs to use more than the customary safety and maintenance measures to manage this higher level of risk. The program manager must inform the students of the risks involved and make sure that they agree in writing to accept them before they take the course. Programs must fully disclose the risks inherent in such activities in the curriculum guide, marketing materials, and course outline so that students can make an informed choice

about whether or not to take the program of study that includes this class. An informed consent form must be signed by each student, if 19 years of age or over, or by the parent or guardian if the student is a minor. A description of the specific risks and dangers involved should be included in the informed consent form (see the template in Section 4.1) so that the program manager knows the students are fully aware of them.

On occasion, institutions may offer an optional curricular activity or an extracurricular activity of a high-risk nature. Many sporting activities such as rock climbing or whitewater rafting, have an element of increased risk of injury or death. Before permitting students to participate in these types of activities, in addition to a signed informed consent form it is recommended that program managers obtain one of the following from each participant:

❑ A release and waiver signed by the student (if aged 19 or over); or

❑ A release and waiver signed by the student and the student's parent or guardian (if the student is under 19 years).

Like informed consents, release and waiver forms should give a detailed list of the risks associated with each activity so that whoever signs the form understands clearly what the risks are.

Release, waiver, and informed consent forms ensure that the student and parents or guardian consider the risks inherent in an activity before deciding whether or not to participate. Having the opportunity to accept or reject the activity based on knowledge empowers the student and parent or guardian. Lack of power tends to raise the perception of risk and lower the acceptance of injury or death arising from the activity. The forms are proof that the institution advised participants carefully and did not mislead anyone about the dangers involved.

It is also recommended that students meet and depart for field trips from the institution campus. There is a significant difference as to whether the participant was "travelling to and from work" or was "travelling from the work site (institution) to the field trip site." In the event a claim is made, it would be to the claimant's advantage to have left the institution, or a designated meeting site, to reach the location of the field trip (Walch 2000).

Because students under 19 years of age will require their parents' or guardian's authorization, forms should be given to students far enough in advance to allow them time to obtain signatures. Having students sign the forms as they board the van is not suitable and should be avoided.

See templates in Section 4.1 for samples of informed consent and waiver formats.

2.14 INTERNATIONAL TRAVEL

Post-secondary outdoor programs may involve travel outside Canada on international excursions. When this occurs, students must carry travel insurance that will cover them in the event of injury in the foreign country.

Instructors on international trips

Instructors for all international outdoor program trips should hold international qualifications. For example, for international rock climbing or mountaineering trips, all staff should be mountain guides fully certified by the Union Internationale des Associations de Guides de Montagne (UIAGM). The litigation implications for out-of-country trips are substantially higher than for trips in Canada. In some American state jurisdictions, for example, it is possible to sue for amounts in excess of $100 million. This is unheard of in Canada.[vi]

Program managers and instructors must ensure that students have adequate medical coverage and that it covers the activities in question. Many travel insurance policies do not cover high-risk sports such as mountaineering, rock climbing, and sky diving. The policy name, number, and coverage dates of each student's insurance policy should be recorded by the program manager before the trip.

All British Columbia-based programs operating in the United States must hold the necessary state or federal land access permits as required by law. In many jurisdictions in the U.S., post-secondary outdoor programs are considered commercial users and must hold appropriate Commercial Use Permits.

Employees of the institution who normally live and work in British Columbia will usually be covered by the WCB for work-related injuries and illness.

2.15 RECOVERY MANAGEMENT

Recovery management is the management of emergency incidents involving death or major injury. Planning should occur at three stages: short-term, medium-term, and long-term.

Table 2.11 provides procedural checklists for each of these three stages for quick emergency reference.[vii]

Table 2.11
Procedures for death or major injury

Short-term Actions
Short-term actions are those carried out within the first 24 hours of an incident occurring.
❑ Ensure Emergency Response Plan activated and appropriate response and treatment are completed.
❑ Verify safety of students, instructors and others involved.
❑ Contact institution administration.
❑ In the case of death or major injury to staff, report to the institution's health and safety department or officer.
❑ Report a death or major injury to the WCB immediately. (Refer to the information in Table 2.8, page 24).
❑ Set up a recovery room or location.
❑ Inform staff.
❑ Inform students.
❑ Inform close friends.
❑ Identify techniques for dealing with the accident with other students
❑ Identify methods for supporting students.
❑ Inform parents and members of the institutional community.

Medium-term Actions
Medium-term actions are those carried out during the first week after an incident. Not all will need to be done in every case.
❑ Provide information about the incident to staff, students, and parents and encourage support networks among those groups.
❑ Restore regular program routine.
❑ Allow opportunities to talk about and react to the incident.
❑ Monitor and support reactions within the institutional community.
❑ Reiterate information about reactions as required.
❑ Use specialist support staff to assist staff, students, and parents.
❑ Provide information updates about the conditions of anyone in hospital.
❑ Prepare public expressions of farewell such as obituaries when a death has occurred.
❑ Be aware of cultural and religious differences in response to death and what the funeral or memorial service may entail.
❑ Keep parents informed; parents may wish to meet together.
❑ Monitor those in care-giving roles.
❑ Consider referring students with persistent behaviour changes to a counsellor or specialist agency.
❑ Liaise with community support agencies such as churches, funeral directors, community health centres, and police.
❑ Keep a scrapbook of eulogies and sympathy cards in a central location for members of the institutional community to read.
❑ Monitor media coverage of the event to identify areas that may be causing difficulty or distress for students and staff. Assign a media contact person.
❑ Refer staff who are concerned with issues of legal liability to attorneys.
❑ Suggest that staff make detailed notes for their personal reference about the event and their part in it.
❑ Suggest that staff obtain copies of any official statements they make.
❑ Use replacement instructors to enable staff to attend the funeral.
❑ Complete the investigation of the incident.

Table 2.11 continued on next page

(Table 2.11 continued)

Long-term Actions
Long-term recovery management requires a continuing awareness of individual needs and reactions to the incident and a process for managing those responses.

It is also useful at this time to re-examine the program's emergency management plan and to revise the plan on the basis of which strategies were effective and which were not. Strategies that were found to be useful during the emergency should be included in the plan for future use.

❑ Monitor and support members of the program community, particularly on significant dates such as anniversaries.
❑ Consider long-term intervention activities such as the need for ongoing counselling or other specialist support.
❑ Reconvene key people at regular intervals to review the program's response and the effectiveness of planning arrangements.
❑ Revise the program emergency management plan in light of experience gained.
❑ Make other changes to the program activities to prevent recurrence of similar accidents
❑ Continue liaison with outside agencies and maintain contact networks.
❑ Consider a ritual of marking significant dates.
❑ Prepare for legal proceedings, if necessary. ♦

2.16 RISK MANAGEMENT DIRECTIVES TO PROGRAM INSTRUCTORS

Instructors play a primary role in the risk management of post-secondary outdoor programs. They are central to the implementation of institutional and program risk management techniques. Whether as an institutional employee or part-time contractor, an instructor is required to exercise due diligence in carrying out institutional risk management strategies.

Instructors' summary of risk management directives

Be aware of common practice
Possess customary qualifications and experience
Have a written trip plan
Have a written emergency response plan
Carry appropriate communication equipment
Teach to approved curriculum
Document any adjustments
Keep records of near misses and incidents
Maintain control of group
Do not use drugs or alcohol
Conduct safety talks

The following checklist summarizes the outdoor program instructor's responsibilities while planning, teaching, and leading courses. Other responsibilities may be required by individual institutions and should be added to the list by the instructor.

❑ Be aware of the common practices for the activity you are instructing.

❑ Possess the appropriate qualifications and experience for the activity and level you are instructing.

❑ Ensure that you, or the program, has adequately planned in writing the trip being led.

❑ Ensure that you, or the program, has adequately planned in writing the emergency response for the trip being led and that you carry out these directions in the field.

❑ Carry communication equipment appropriate for the isolation, level, and philosophy of the trip.

- ❑ Teach to the approved curriculum and guidelines and, if deviating from these, document your rationale at the time.

- ❑ Keep detailed records of near-misses and incidents that occur.

- ❑ Maintain control of the group at all times.

- ❑ Do not drink alcohol or use drugs on or before trips.

- ❑ Ensure that you conduct adequate safety talks with your students and staff and provide adequate warnings of the hazards in an activity.

- ❑ Be aware of common practice.

- ❑ Possess customary qualifications and experience.

- ❑ Have a written trip plan.

- ❑ Have a written emergency response plan.

- ❑ Carry appropriate communication equipment.

- ❑ Teach to approved curriculum. Document any adjustments.

- ❑ Keep records of near misses and incidents.

- ❑ Maintain control of group.

- ❑ Do not use drugs or alcohol.

- ❑ Conduct safety talks.

Risk Management for Outdoor Programs: A Guide for Students has been developed to provide:

- ❑ Information to students about what kinds of risk management they can expect from the institution they attend

- ❑ Material on risk management that you, the instructor, can use to educate students about risk management

- ❑ Resource materials students can implement once they begin working in their chosen outdoor-oriented career

2.17 CONTRACTS

Many post-secondary outdoor programs make extensive use of contracts for the provision of services such as backcountry lodge rentals, snowcat transportation, equipment rentals, and instruction. There are always risks associated with contracting work and services with a person or company.

During a program's planning phase, it is essential to identify the exposures to risk that could be associated with the contracts in question. A risk management plan, which includes having adequate insurance in place, should be built into the contract, ensuring protection for all parties concerned.

One risk that a program exposes itself to is that the service contracted for is not provided. Even though the contractor assumes responsibility for the work, there may be no guarantee that the work will get done according to the contract. The most likely reasons for this are:

- ❑ Failure by the contractor to deliver the services or product to the standards or time frame agreed upon.

❏ Failure by the contractor to deliver acceptable equipment or content agreed upon.

❏ Failure by either party to control the contract costs.

❏ Failure of the contract due to mismanagement by either party.

To reduce risks, the following steps should be considered:

❏ During the initial planning phase, potential risks that could impede the contract should be identified. These include who pays for insurance and what the ability of the contractor to complete the work is.

❏ Before the work starts, proper insurance, such as third-party liability, professional liability, and workers' compensation should be in place. It is the responsibility of the program manager to ensure that all employees and contractors are covered by the WCB. Clearance letters can be obtained from the WCB to verify coverage of a contractor.

❏ Terms between the client and the contractor should be discussed to address current as well as anticipated problems.[viii]

2.17.1 WCB and Contracts

WCB legislation prevents the transfer by contract of any WCB obligation. In other words, an employer cannot be absolved from health and safety and workers' compensation responsibilities and liabilities by entering into a contract with another person.[ix]

2.17.2 Joint Use/Owned Facilities

1. Joint Use Facilities Agreements. Proposed agreements for the use of facilities between institutions and other parties should contain indemnity/hold harmless and insurance clauses requiring the user to be responsible for all actions and claims arising out of the use of the owner's property. The owner should remain responsible for negligence as a landlord. Table 2.12 is a sample of suggested indemnity/insurance clauses pertaining to joint use facilities.

2. Leased Facilities. When renting or leasing property from or to outsiders, the institution should consult legal counsel to make certain that the written agreement is fair and reasonable for both parties.

Rental/leasing agreements should contain indemnity/hold harmless and insurance clauses.

2.17.3 Leased/Rented Equipment

A written contract should be signed to support any lease or rental of equipment from others, whether in the form of a lease agreement, invoice, or otherwise. The contract should clearly outline which of the parties is responsible for insurance, both from the standpoint of property (damage to the equipment) and third-party liability. If the contract requires the lessee (institution) to indemnify and hold harmless the lessor from all liabilities, the contract should be amended to state "except liability arising from the negligence of the Lessor."

2.17.4 The Risks of Contracting

Contracts are a part of everyday life, ranging from simple purchase orders to complex construction contracts. Since they are so commonplace, there is a tendency to ignore or minimize the importance of the words they contain—and this is where danger lies. This section briefly describes what constitutes a contract, outlines some of the more common clauses to beware of in a lease/rent agreement, and provides some practical advice to assist readers in managing the risks associated with contracts.

Table 2.12
Samples of indemnity and insurance clauses for joint use facilities

**1. For use if an outside party contracts to use
   program/institutional facilities:**
It is understood and agreed by the parties hereto that the (*name of other party*) shall indemnify and hold harmless the institution and its employees, servants, agents and contractors from any and all claims excepting negligence of the institution, resulting from the (*name of other party*)'s use and occupation of the institution's property. The institution shall forthwith, upon receiving notice of any suit brought against it, deliver to the (*name of other party*) full particulars thereof and the (*name of other party*) shall render all reasonable assistance requested by the institution in the defence thereof.

**2. For use if a program/institution contracts to use
   an outside party's facilities*:***
It is understood and agreed by the parties hereto that the institution shall indemnify and hold harmless the (*name of other party*) and its employees, servants, agents and contractors from any and all claims, excepting negligence of the (*name of other party*) resulting from the institution's use and occupation of the (*name of other party*)'s property. The (*name of other party*) shall forthwith, upon receiving notice of any suit brought against it, deliver to the institution full particulars thereof and the institution shall render all reasonable assistance requested by the (*name of other party*) in the defence thereof.

3. For use as the insurance clause
Each of the parties hereto agrees to maintain comprehensive general liability protection while this agreement is in force to cover the use of the property of the other. The parties hereto further agree to furnish certificates confirming that such protection is in force if requested by the other party. ♦

2.17.5 What is a contract?

A contract can be written or oral: it does not have to be in writing to be legally enforceable. Either way, a legally enforceable contract should contain the following elements:

Agreement – The contract must provide articulated understanding between the contracting parties

Competent Parties – The contracting parties must be of legal age and mentally competent

Consideration – Each contracting party must give something in return for receiving the benefits provided by the agreement

Legal Purpose – Courts can only enforce a contract whose purpose is legal

Outdoor programs are likely to encounter the following types of contracts:

❑ Purchase orders

❑ Warehouse receipts

❑ Service contracts

❑ Leases

❑ User group forms

❑ Maintenance contracts and agreements

❑ Park Use Permits and applications

❑ Work experience and practicum agreements

❑ Rental agreements (for equipment or facilities)

❑ Contracts with outside facility providers (e.g., recreational)

❑ Joint venture agreements (with private enterprise or other public bodies)

2.17.6 Contract Clauses to Note

Although the formats may differ significantly, each contract must contain the names of the parties, the purpose of the contract, fees payable, time frame, and conditions. When reviewing contracts, pay particular attention to clauses that address conditions such as *Hold Harmless, Indemnity, Limitation, Insurance, Repair and miscellaneous clauses such as Cancellation, Penalties, and Termination.*

Hold Harmless and Indemnity Clauses

In a Hold Harmless clause, one party agrees to hold the other harmless, that is, agrees that it will not hold the other responsible or legally liable for certain activities. In an Indemnity clause, one party agrees to repay the other party, usually for costs and damages arising from a legal action.

These two clauses are used to transfer legal liability, or responsibility for payment of costs and damages arising from legal liability, from one party to the other. The clauses are often combined, as below:

> The Institution agrees to indemnify and hold harmless the Landlord from and against all claims, demands, liabilities, judgments, and losses, including legal costs and loss expenses arising from the Institution's use and occupancy of the Premises…

Beware of clauses that accept liability for the negligence of another party, particularly in situations in which you do not have full control over its activities. For example, in the clause quoted above, avoid:

> …use and occupancy of Premises, notwithstanding that such losses may have been caused or contributed to by the negligence of the Landlord.
>
> or

…use and occupancy of the Premises, including losses caused by the negligent act, misconduct or omission, of the Landlord.

Indemnity/Hold Harmless clauses, in fact, should specifically exclude liability for the negligence of others. In the previous sample clause, include:

> …use and occupancy of the Premises, excepting always liability arising out of the acts or omissions of the Landlord.

Limitation Clauses

Carefully assess clauses that limit the liability of the other contracting party. Limitations can be expressed either monetarily or in terms of responsibilities or activities. Do not accept clauses that state that the other party is not responsible, or has limited responsibility, for its own activities or premises. For example, providers of professional services may attempt to limit their liability to the amount of their fee. This is not acceptable because the fee is not an accurate assessment of their potential liability.

Insurance Clauses

Look at the contract and consider the following questions:

Does the contract clearly outline the insurance requirements of each party?

Ambiguity leads to assumptions, and assumptions can be dangerous. Seek clarification of any ambiguity and then have the contract amended.

Are the insurance requirements fair?

For example, imagine you are a tenant of a backcountry lodge you have rented, with no obligation to maintain building systems. Is it then reasonable that you should agree to a waiver of subrogation in favour of the landlord when it would prevent you from seeking repayment from the landlord if your possessions were damaged by water or fire damage as a result of poor building maintenance?

Do the insurance requirements reflect the respective obligations of the parties as set out in the contract?

It is reasonable, for instance, in a service contract with a food service provider, to include an Indemnity/Hold Harmless agreement in favour of the institution. Any indemnity, however, is only as good as the contractor's ability to pay. To protect the institution, it is wise to require the contractor to provide evidence of having Commercial General Liability insurance, which includes Blanket Contractual Liability and shows the institution as an Additional Insured with respect to the contractor's operations.

Are the insurance requirements you impose on others adequate?

For example, does the contract specify that the above food service provider's liability insurance includes Product and Completed Operations coverage—thus ensuring that claims due to such problems as foreign objects in food are covered?

Repair Clauses

These clauses outline the relative responsibilities of the landlord and tenant for general maintenance and repair of damage. It is best to include as much detail as possible. For example, it is reasonable to expect the landlord to be responsible for keeping the premises in a reasonable state of repair—

> …including but not limited to foundations, roofs, exterior walls (excluding plate glass fronts of Tenant's premises) structural sub-floors, bearing walls, columns, beams and other structural elements thereof, and the systems provided to bring utilities to the Premises.

The tenant's responsibilities should include keeping the premises in a reasonable state of repair—

> …including all Leasehold Improvements (which should be defined) and all trade fixtures, furniture, equipment and other facili-

ties in the Premises, the front of the Premises, all glass in the Premises, but with the exception of structural elements of the Premises.

Other Conditions

Review Cancellation, Penalties, and Termination clauses to ensure that they do not contain unreasonably onerous penalties.

2.17.7 Risk Management and Contracting

It is essential that institutions review each contract in detail before signing and that they obtain and keep copies of all signed contracts. Ideally, one individual in the program or institution should have this responsibility. Program policy should outline approval and signing authority.

Sometimes it is advisable to obtain legal counsel. For example, always seek legal counsel to draft original contracts. The process can then be streamlined by developing standardized wordings for documents such as maintenance and service contracts and purchase orders.

Indemnity Agreement

The indemnity agreement can be difficult to identify because there is often no subheading or boldface printing to indicate it. Therefore, review the contract carefully to locate the part that describes each party's responsibility to the other. This is the indemnity agreement.

Indemnity agreements tend to be phrased so as to provide ultimate protection to the party that

wrote the contract. It is therefore important to review the indemnity agreement to ensure that it is fair and reasonable to both parties to the contract.

When an outdoor program is entering into a lease agreement (contract) with a landlord (e.g., a backcountry lodge), the landlord will usually design the lease. Below is an example of an indemnity found in many leases:

> The renter agrees to indemnify and hold harmless the landlord from and against all claims, demands, liabilities, judgments, and losses, including legal costs and expenses arising during the renter's use and occupancy of the premises…

This clause has the effect of making the outdoor program legally liable for all losses and does not take into consideration that some losses may be due to the negligence of the landlord. To make the agreement fair to both parties, a simple addition to the above indemnity could be "excepting always liability arising out of the acts or omissions of the landlord." With this change, the outdoor program accepts responsibility for its own negligence but is excluded from being responsible for the negligence of the landlord.

Insurance Agreement

Most contracts, including leases, have a section that relates to insurance. A properly worded insurance clause (or insurance section) in a lease should establish that each party to the contract is responsible for insuring its own property and insuring against its own liability as it relates to the agreement. Additional wordings, including waiver-of-subrogation clauses and cross-liability clauses, can further limit an institution's potential costs in a claim situation.

3 Recommended Practices for Managing Risks in Outdoor Programs

3.1 INTRODUCTION

When planning or undertaking any activity in the field, it is essential to consider all statutory requirements, common practices, and suggested practices for the activity (see definitions in Sections 1.2.3 and 1.2.4). Not only will this enable instructors to conduct the activity in the most professional and safe manner, it will also ensure that they are working to or beyond the industry best practice.

This section describes the practices that have been identified for a range of selected outdoor activities.

3.2 ESTABLISHING A MINIMUM STANDARD FOR OPERATION

For every program, a minimum operating standard should be established. A minimum standard is the minimum measure or required level of quality that an institution considers acceptable for operations.

The following process should be used:

1. Identify and adhere to any legal or statutory requirements pertaining to the activity in question. For example:

❑ Laws related to the use of equipment (wearing bike helmets, holding the appropriate class licence to drive commercial passenger vehicles)

❑ Licences related to the use of areas of land and water (those issued by Lands and Water BC, BC Parks, National Parks)

❑ Relevant provincial legislation (*Workers Compensation Act*, Occupational Health and Safety Regulation, *Motor Vehicle Act*, *Parks Act)*

2. Identify and implement common practices used for the activity which may be appropriate for the program. For example:

❑ Documented guidelines (e.g., industry association guidelines)

❑ Best practices developed by other postsecondary institution outdoor programs

3. Identify and consider implementing any suggested practices used for the activity which may be appropriate for the program. For example:

❑ National recreation standards that may not have been developed specifically for commercial application but are relevant references (e.g., the Canadian Recreational Canoe Association certification scheme which is intended primarily for recreational canoeists)

❑ Documented guidelines and directives (e.g., institutional policies, Provincial Emergency Program or Ministry of Advanced Education guidelines or directives, BC Adventure Tourism Certificate Program Core Curriculum Handbook, WCB and Occupational Health and Safety Guidelines)

4. Determine whether the minimum standard satisfies risk management principles. For example, ask:

Does the level of operating standards meet

- ❑ the institution's philosophy?
- ❑ the level that the program is marketed to be?

- ❑ the program outcomes?
- ❑ the participants' skills and knowledge?
- ❑ institutional and provincial interests?
- ❑ an operating level that could be defended if necessary?

3.3 COMMON PRACTICES IN PLANNING

It is now common practice for outdoor programs to conduct a high level of planning to prevent and respond to emergencies. Nevertheless, any such program will, inevitably, suffer accidents over its life. It is therefore important to demonstrate due diligence in the prevention of accidents and in preparing for adequate responses to these events. Development of a series of risk management documents that can be used within the program as operational and training tools will help prove that appropriate diligence has been applied.

Written documents won't demonstrate due diligence on their own. The policies and procedures they contain should be implemented. Similarly, copies of written rules and procedures won't demonstrate due diligence unless they are understood and followed by students and staff.

The WCB requires employers to protect employees through adequate emergency preparedness and response. For example, the employer must conduct a risk assessment in any workplace in which a need to rescue or evacuate workers may arise. Where rescues may be necessary, appropriate written procedures must be developed and implemented, and a worker assigned to coordinate their implementation. All workers must be given adequate instruction in these emergency evacuation procedures.

The following are examples of situations where written rescue and evacuation procedures are required:

- ❑ Work at high angles
- ❑ Work in confined spaces or where there is a risk of entrapment

- ❑ Underground work
- ❑ Work on or over water
- ❑ Workplaces where there are persons who require physical assistance to be moved

3.3.1 Risk Management Plans

The purpose of a written risk management plan (called a Health and Safety Plan or Program by the WCB; see Section 2.5.5) is to identify all the hazards that a program may face and the steps to be taken to address those. As the life of a plan becomes dated, the plan should be reviewed and amended. The WCB recommends that health and safety programs be reviewed annually or after a severe event.

A risk management plan must clearly identify field-based hazards, as well as hazards to business operations. Table 3.1 lists examples

of field-based hazards and hazards to business operations. Note that field-based hazards can be either environmental or human in nature.

Instructors & risk management plan

Instructors should be familiar with the strategies articulated in the *risk management plan* and be ready to implement them in the field

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After identifying hazards, a risk management plan must:

❏ Lay out strategies that the program will use to mitigate risk from the hazards, as well as

❏ Develop checklists for use in responding to incidents.

It is important that risk management planning should also consider the health and safety of employees and staff, not just that of the students.

3.3.2 Trip Plans

Written trip plans enable program staff to articulate trip plans prior to a trip taking place. Similar to the risk management plan, but trip-specific, the trip plan identifies hazards and lays out strategies to mitigate risk from these hazards. Trip plans must be reviewed and updated, if necessary, before use on subsequent trips to the same location, but staff should ensure that all trip plan strategies and cautions are carried out on subsequent trips.

Instructors and trip planning

Instructors should ensure that all trips they are asked to lead are properly planned and that the planning is documented.

Trip plans need to ensure that safe operating procedures are in place and that they meet the requirements of the WCB.

Instructors should ensure that all trips they are asked to lead are properly planned and that the planning is documented.

Dated trip plans should be kept on file by program administration for a seven-year period in case it is necessary to demonstrate that proper planning was conducted on a specific trip during that time. See Section 4 for a trip plan outline format.

3.3.3 Emergency Response Plans

In conjunction with trip plans, the purpose of the emergency response plan is to articulate the short-term emergency response actions to be carried out in the event of an accident.

Emergency response plans may be developed for trips to specific locations or by activity category (e.g., ski touring, rock climbing). All staff on a trip (and, in some cases, students) should be aware of emergency response guidelines for the trip they are on, and know what actions to perform in an emergency. See Section 4 for an emergency response plan outline.

Table 3.1
Hazards to a risk management plan

1. Field-Based Hazards

Examples of environmental hazards include:

- ❑ Avalanches
- ❑ Crevasses
- ❑ Temperature extremes
- ❑ Darkness
- ❑ Sun exposure
- ❑ Bee stings
- ❑ Driving conditions
- ❑ Flying conditions
- ❑ Other erratic drivers
- ❑ Mechanical breakdown

2. Hazards Based on Human Factors

Examples of human factors, as they are demonstrated by participants, leaders, and groups, include:

Participants	Leaders	Group
Unaware of hazard	Lack of knowledge	Non-cooperative
No skills to avoid hazards	Poor safety judgment	Interpersonal friction
Resistance to instructions	Poor teaching skills	Excessive competition
Irresponsible/careless actions	Poor group control	Pressure to perform
Macho attitude	Ineffective stress management	Lack of safety attitude
Poor strength/stamina	Poor safety attitude	Sub-group splinters
Fear/anxiety	Personal cultural perspective and values	

3. Hazards Related to Business Operations

For example,
- ❑ Loss of permits
- ❑ Negative public relations
- ❑ Cancellation of a program
- ❑ Lack of funding
- ❑ Inadequate staffing
- ❑ Travel limitations. ♦

Instructors & emergency response plan

Instructors should be familiar with the strategies articulated in the *emergency response plan* and be ready to implement them in the field

3.3.4 Instructor Protocols

Instructor protocols are written directions provided to an instructor by a program manager. They explain how to rate accidents in the field, how to respond to these emergencies, and under what financial authority the instructor should proceed. Instructor protocols may be stand-alone documents or included as part of an emergency response plan.

See Appendix 3 for a suggested format for writing an instructor protocol.

3.3.5 Safety Reviews

In a safety review, a team of qualified people gathers data on a program—through interviews, site visits, and other methods—to assess the safety standards and safety management practices in place. The reviewers then make recommendations for improvement.

The areas of investigation during the review are usually:

- ❑ Student screening
- ❑ Occupational health and safety for staff
- ❑ Staff qualifications
- ❑ Management systems

Instructors and field-based emergencies

Instructors should carry emergency contact numbers with them in the field and be familiar with their financial authority when they are responding to field-based emergencies.

- ❑ Program activities
- ❑ Emergency procedures
- ❑ Logistics and facilities
- ❑ Transportation
- ❑ Program marketing
- ❑ Student-program match
- ❑ Equipment

Safety reviews offer several long- and short-range benefits.

Every program's risk management plan should include a method for systematically assessing safety practices. Safety reviews are an excellent tool for allowing program managers and instructors to receive objective feedback from experienced people.

The safety review is a dynamic and positive vehicle for training and for sharing ideas that lead to improved safety. Team members and the staff of the institution benefit from the learning and networking that takes place.

Through the safety review process, the sharing of experience between similar programs raises the general standards of the programs to a higher level and promotes the evolution of state-of-the-art procedures.

Many adventure programs prefer policing their own industry through safety reviews rather than having to submit to audits or reviews by government agencies.

Safety reviews help identify a program's strengths and weaknesses so that improvements can be made (see Wade and Fischesser, 1988).

Safety reviews offer a means of verifying that the institution sponsoring the program is meeting WCB requirements.

3.3.6 Search and Rescue

Search and rescue (SAR) in British Columbia falls into three broad categories: Air SAR, Marine SAR, and Land and Inland Water SAR. The work of these bodies is supported by volunteer SAR Groups.

Search and Rescue Jurisdictions. A number of government departments divide the responsibility for SAR operations:

Coroner's Office. In the event of a fatality, the matter becomes the responsibility of the Provincial Coroner's Office

Canadian Forces and Coast Guard. Air SAR is the responsibility of the Canadian Forces. Marine SAR is the responsibility of the Coast Guard. The Rescue Coordination Centre (RCC) in Victoria coordinates both.

Police Authority. Responsibility for Land and Inland Water SAR within British Columbia is the responsibility of the police department having jurisdiction. Throughout most of the province, this is the RCMP; within some municipal boundaries, this is the municipal police (e.g., the West Vancouver Municipal Police).

The Provincial Emergency Program. The British Columbia Provincial Emergency Program (PEP) is the department responsible for responding to emergencies in the province. Emergencies include events such as floods, earthquakes, and civil disasters. PEP's mandate includes providing response for ground and inland water search and rescue. Air and marine search and rescue is the responsibility of the Department of National Defence.

PEP gives assistance to mandated search and rescue agencies and SAR volunteers in British Columbia. When requested by the local police detachment, PEP supports the activation of local SAR Groups by issuing a PEP task number. These volunteer SAR Groups are community-based and have various levels of skills, training, and equipment in land and inland water SAR. For example, a number of the groups are trained to respond to various aspects of rope rescue, swiftwater rescue, and avalanche response. PEP is currently undertaking the training of mountain rescue personnel through the Mountain Rescue Task Force project.

Volunteer SAR Groups will respond to post-secondary institution field trip incidents and may be contacted through the local RCMP detachment office.

PEP provides WCB coverage, third-party liability insurance, and legal representation for pre-approved training tasks and responses initiated under a PEP task number. PEP will also reimburse members of SAR Groups for expenses incurred during operations and sometimes for training; and it will replace essential equipment that is lost or damaged during an operation. The PEP Emergency Coordination Centre in Victoria (not to be confused with the Department of National Defence Rescue Coordination Centre), assists

in the coordination of land and inland water SAR operations in the province.

Search and Rescue Training. Under the direction of PEP, the Emergency Management Division at the Justice Institute in New Westminster, BC, is responsible for providing the course curriculum, standards, and evaluation practices for SAR Group training. Training to the PEP standard for search and rescue is also delivered at the regional and local levels of the province by volunteer instructors certified by the Justice Institute. Table 3.2 lists courses offered to SAR group volunteers by PEP.

> **Instructors and
> search and rescue resources**
>
> Instructors should be familiar with the local search and rescue resources available and should know how to interact smoothly with provincial search and rescue resources if they are needed.

Post-secondary Outdoor Programs and Search and Rescue. Search and rescue organizations such as PEP have been created, at least in part, to respond to backcountry emergencies involving recreational users, as well as commercial and institutional users. However, these groups have the obligation to ensure that they prepare as much as possible to prevent incidents, that they operate as professionally as possible while on trips, that they call for assistance only in emergencies they cannot handle internally, and that they train themselves to interact professionally with the responders who arrive. Where outdoor program groups are involved, it is important that program staff be able to recognize when a situation is beyond their capabilities to manage and not wait too long to ask for assistance.

When search and rescue assistance is required on an outdoor program trip, the nearest police authority should be contacted. The police will assess the situation and, if appropriate, will contact the local SAR Group for assistance. A local, PEP-trained, volunteer SAR Manager will be placed in charge of the operation. Generally speaking, it is up to the local police authority to decide to what extent the police should stay involved. Some will turn the operation over to the local SAR Group; others will stay actively involved in the operation. This is a local police decision as SAR is, ultimately, their responsibility.

The rescue response capabilities of the SAR Groups vary from group to group, though the search capabilities are similar to all. When a SAR Manager receives a callout, he or she will assess the urgency of the incident, assign responders as required, and contact the PEP Emergency Coordination Centre in Victoria for a task number under which to operate.

The SAR Manager has immense resources at his or her request—in short, all provincial resources. If local support is required, the SAR Manager may request this through the local PEP Regional Manager, or sometimes through the local Area Emergency Coordinator (usually a regional or municipal employee). Items such as local food supplies, transportation support, and accommodation are examples of needs met through local support. Support that might be requested through the PEP Regional Manager include mutual aid SAR Groups, helicopter transportation, and fixed-wing air support (spotters or radio relays). For more information, see BC Provincial Emergency Program, "Search and Rescue Management Manual," (1992).

3.3.7 Public and Media Information

In the event of an accident during an outdoor program trip, family members, the public, and the media will seek information about the incident. All programs should therefore be ready to respond to significant demands from these interest groups.

Recommended steps include the following:

❑ Do not speak to the media without advice of your institutions' bursar or communications director.

❑ Consider the applicability of the *Freedom of Information and Protection of Privacy Act* (FOIPP).

❑ In consultation with your institutions' risk manager or insurer prepare for how the program will deal with increased demands by telephone for interviews and press releases.

❑ Decide ahead of time what type of information can and cannot be given to the public, the family, and the media in the event of an accident, and explain this clearly to all instructional and support staff before an accident happens.

❑ Have information ready about the various outdoor activities the program involves.

❑ Use public relations or communications expertise (e.g., from public information officers at the college, university, or a provincial agency, or from the private sector) to ensure the media information is professionally produced.

Table 3.2
Courses offered by The Provincial Emergency Program (PEP)

- Ground SAR
- Ground SAR Instructor
- Ground Search Team Leader
- Ground Search Team Leader Instructor
- SAR Management
- Tracking
- Rope Rescue Team Member
- Rope Rescue Team Leader
- Rope Rescue Instructor
- Organized Avalanche Response
- Swiftwater Rescue
- Mountain Rescuer I, II and III ♦

3.4   COMMON PRACTICES IN THE FIELD

This section describes the common practices currently followed for a range of matters tied to outdoor program field operations.

Many of these practices will meet the test of due diligence as required by the WCB. However, program managers should not make

assumptions and should refer to the OH&S Regulation to verify that their common practices meet the intent of the Regulation and protect workers appropriately.

For assistance in interpreting the WCB's requirements, contact the WCB Prevention Information Line, or the local WCB occupational health and safety officer.

3.4.1 Safety Talks

Among the most common allegations in a legal action launched because of an outdoor

Instructors and safety talks

Instructors should ensure that the safety talks they give are educational and include warnings. Students should also be made to understand that participating in the activity is voluntary.

accident is that the program operator failed to inform participants of the inherent dangers of the activity, or failed to give proper and adequate instructions on what to do and how to do it. Safety instructions to program participants should, therefore, be given before activities take place. Such a talk should include the specifics concerning proper equipment use and technique. A written outline will assist new staff in learning the important points and prevent seasoned staff from forgetting them. Table 3.3 provides such an outline.

Safety talks to staff are also a good way of reminding staff of the hazards present and the procedures to be followed to avoid injuries to themselves and students. Everyone's safety talk will be different, influenced by physical locale and activity For more information, see Worldwide Outfitter and Guide Association "Risk Management Manual,"(1992, pp. 20–21).

3.4.2 Communication Systems and Requirements

As cellular and satellite technology evolves to make communication systems more readily available and reasonable in cost, outdoor programs must ensure that such systems are used effectively between groups in the field and the outside world. The upgrading of communication systems in outdoor program settings is often argued against from the perspective that the greater presence of technology detracts from the wilderness experience. This is a valid argument. However, it does not change the fact that the technology is available at what the courts consider to be a reasonable price— and it could be argued that any price is reasonable if human safety is at stake. Public

Table 3.3
Safety Talk Outline

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1. Introduction

    a) Introduce yourself and your staff.
    b) Explain to participants the need to listen and think—they share the responsibility for safety.

2. Trip Specifics

    a) Introduce the trip (e.g., geographical area, weather forecast).
    b) Describe inherent dangers (e.g., cold water, falling, hypothermia, other environmental conditions).
    c) Explain proper use of equipment.
    d) Demonstrate proper technique (e.g., how to sit and paddle, how to cross a ski slope).
    e) Explain what to do in case of an emergency (e.g., if someone falls in the water, if someone gets lost).

3. Participants' Responsibilities

    a) Explain the level of physical involvement.
    b) Ask participants to identify any medical or physical conditions they have that might be affected by the trip's activities.
    c) Explain that NO alcohol or drugs are to be taken before or during the activity or brought along.
    d) Explain the responsibility of participants to apply care and attention.
    e) Ask participants to notify guides if they observe any problems with the equipment and to report any incidents or accidents.

4. Closing

    a) Confirm that all participants have signed a release form.
    b) Ask if there are any additional questions. ♦

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institutions, with multi-million dollar budgets and the ability to share the use of resources such as cellular and satellite telephones among a number of institutional programs should be able to provide emergency communication systems specifically to outdoor programs.

It is now common practice in commercial and institutional outdoor programs to use the communications technology that best suits the group's isolation. Options include VHF radio, cellular telephone, single side band, satellite telephone, and personal locator beacons (sometimes known as PLBs).

More than one person in each group must be trained in the use of the communications equipment carried with the group. Training must occur before the field activity begins. Doing so also provides a useful opportunity to check the functioning of the equipment.

Note that in British Columbia it is Provincial Emergency Program (PEP) policy to respond to personal locator beacon notification as though it were a missing person, not a rescue.

**Instructors and
communications technology**

Instructors should be familiar with the different communications technologies available and should carry communications systems that are suitable for the student group, the program goals and objectives, and the terrain.

The WCB and Isolated Workers. The WCB has special requirements when employees work alone or in isolation. Those requirements state that:

❑ The employer must develop and implement a written procedure for checking the well-being of a worker assigned to work alone or in isolation under conditions which present a risk of disabling injury, if the worker might not be able to secure assistance in the event of injury or other misfortune.

❑ The procedure for checking a worker's well-being must include a plan where a designated person will contact the worker at pre-determined time intervals, as well as a procedure to follow in case the worker cannot be contacted, including provisions for emergency rescue. This plan must be developed in consultation with the institution's joint health and safety committee.

❑ The results of the contact attempts must be recorded.

❑ In addition to checks at regular intervals, a check at the end of the work shift must be done.

❑ Time intervals for checking a worker's well-being must be developed in consultation with the worker assigned to work alone or in isolation.

❑ The employee working in isolation and those assigned to check on the employee's well-being must be trained in the written procedure.

Note: High-risk activities require shorter time intervals between checks. The preferred method for checking is visual or two-way voice contact. However, where such a system is not practical, it is acceptable to have a one-way system which allows the worker to call or signal for help and which will send a call for help if the worker does not reset the device after a predetermined interval.

3.4.3 First Aid

It is common practice for lead instructors of outdoor programs to hold a valid Advanced Wilderness First Aid certificate. Assistant leaders should hold a valid Basic Wilderness

First Aid certificate. If more than one travelling party is out, each must have a leader who holds a valid Advanced Wilderness First Aid certificate.

The "basic" wilderness first aid course is usually at least 40 hours in duration. The "advanced" course is usually at least 60 hours (often in addition to the basic 40 hours) in duration.

The WCB first aid requirements are as follows:

❑ Where there is only one employee or staff member on a course or activity, the WCB has no special requirements. However, an employee required to work alone, e.g., scouting a location alone, must be provided with a personal first aid kit.

❑ Where there is more than one employee or staff member on a course or activity, the leader must have Occupational First Aid Level I with the Transportation Endorsement.

Meeting the WCB requirement must be in addition to, and not as a replacement for, certification in wilderness first aid, described above.

3.4.4 Student Medical and Fitness

Students who participate in post-secondary outdoor programs must be in good physical and medical condition. Outdoor programs must screen students according to physical and medical criteria and should not accept students who are unfit. This means that outdoor programs should have students complete both medical and physical fitness tests before they enter into the program. Records of student medical and fitness should be kept for at least seven years from completion of their program.

Students should not be allowed to continue to participate in a program if their fitness level drops to a point where it will become a hazard to themselves or other course participants.

3.4.5 Familiarity with Field Trip Sites

Managers of outdoor programs should not plan field trips to areas that the outdoor industry doesn't consider to be "instructional terrain"—that is, terrain suitable for allowing novices to focus on learning proper technique in a relatively low-risk setting. Furthermore, trip instructors should not take a group into terrain that the instructors themselves are not familiar with. They must also have travelled in the terrain in seasonal conditions similar to those that are likely when a particular trip is planned. The exception to this is where the goals and objectives of a specific course require "unfamiliar and experimental" terrain. That type of programming objective may be reasonable only for advanced, leadership, or professional students.

3.4.6 Activity

Post-secondary outdoor programs should plan and operate their courses to acceptable industry standards. The following list is intended to provide information to program managers regarding what the source of these standards are as well as their instructor to student ratios.

Hiking and Backpacking. The Association of Canadian Mountain Guides provides Day Hiking and Backpacking Guide certification. The Day Hiking Guide certification is intended primarily for heli-hiking guides. The Backpacking Guide certification is intended for multi-day/night trip guides.

The common practice instructional ratio used by the association for hiking and backpacking is a maximum of six students to one instructor for guided or instructed trips.

Whitewater Canoeing. The British Columbia Recreational Canoe Association provides Whitewater Canoe Instructor and Canoe Trip Leader certification in British Columbia. There are other equivalent provincial and national programs.

The common practice instructional ratio used by the association for whitewater canoeing is a maximum of six students to one instructor.

Whitewater Kayaking. The British Columbia Whitewater Kayaking Association provides whitewater kayaking instructor certification in British Columbia. There are other equivalent provincial and national programs.

The common practice instructional ratio used by the association for whitewater kayaking is a maximum of six students to one instructor.

Sea Kayaking. Both the British Columbia Sea Kayak Guides Association and the British Columbia Sea Kayak Guide Alliance offer sea kayak guide certification in British Columbia.

The common practice instructional ratio used by the association and the alliance for sea kayaking is a maximum of six students to one instructor.

Whitewater Rafting. The British Columbia Registrar of River Rafting offers whitewater rafting guide certification in British Columbia. This is the only outdoor activity guide qualification enforced and administered by the government in British Columbia.

The common practice instructional ratio required is one instructor/guide per raft.

Rock Climbing. The Association of Canadian Mountain Guides provides Assistant Rock Guide and Full Rock Guide certification in British Columbia.

The common practice instructional ratio used by the association for introductory rock climbing instruction is a maximum of six students to one instructor. Courses of more advanced

curriculum may have an instructional ratio as low as two students to one instructor.

Ice Climbing. The Association of Canadian Mountain Guides provides Ice Climbing Guide certification in British Columbia.

The common practice instructional ratio used by the association for ice climbing is a maximum of six students to one instructor.

Ropes Courses. There is no ropes course certification standard in British Columbia.

Mountaineering. The Association of Canadian Mountain Guides provides Assistant Alpine Guide and Full Alpine Guide certification in British Columbia.

The common practice instructional ratio used by the association for mountaineering is a maximum of six students to one instructor.

Ski Touring. The Association of Canadian Mountain Guides provides Assistant Ski Guide and Full Ski Guide certification in British Columbia.

The common practice instructional ratio used by the association for ski touring is a maximum of six students to one instructor.

The Canadian Ski Guide Association provides Level I, II, and III Ski Guide certification in British Columbia. This certification is intended for mechanized (snowcat and helicopter) ski guiding and is not intended for ski tour guiding or instruction.

Travel in Avalanche Terrain. The Canadian Avalanche Association provides Recreational Avalanche courses, Level I Avalanche Technician for Ski Operations courses, and Level II Avalanche Technician for Ski Operations courses. It is common practice for leaders of field trips into avalanche terrain to hold either the Level I or Level II certification. The Level I Ski Operations course is intended for recreational travellers, while the Level II Ski Opera-

tions course is considered the professional qualification.

3.4.7 Vehicle Use

Student Vehicle Use on Outdoor Program Trips. Statistically, driving to and from outdoor program activity sites is significantly more dangerous than participating in the activity itself. In most outdoor programs, transportation is the most dangerous activity students will participate in—and has the potential for serious results.

Program managers are encouraged to provide transportation to students in the program and not to rely on student or staff vehicles. Students who are allowed to use their own vehicles must be made aware that their own insurance policies will be required to respond in the case of an accident, and that losses or accidents during an outdoor program trip will affect their own policies and driving records.

Use of 15-Passenger Vans. In April 2001, the U.S. National Highway Traffic Safety Administration (NHTSA) issued an advisory to warn users of 15-passenger vans of an increased rollover risk under certain circumstances. Post-secondary institutions throughout the United States have responded quickly to this advisory by making adjustments. No similar advisory has been issued in Canada.

Instructors and passenger vans

Instructors should ensure that 15-passenger vans are never loaded beyond their GVW (occupants and equipment) and that the vehicles are driven with great care.

According to the NHTSA data, the propensity for 15-passenger vans to roll over increases with the occupancy level. If involved in a single-vehicle crash, a 15-passenger van carrying more than 15 occupants (i.e., equipment as well as occupants) is almost six times more likely to roll over than is a 15-passenger van with fewer than 5 occupants. The rollover ratio for 15-passenger vans with 10 occupants or more is almost three times higher than that for a 15-passenger van carrying fewer than 10 passengers.

A 15-passenger van also has a greater rollover ratio than a 7-passenger van.

Loading any size of van with equipment and occupants to the vehicle's Gross Vehicle Weight (GVW) both raises the height of the vehicle's centre of gravity and moves it rearward. The result is an increased vertical load on the rear tires—and therefore an increase in the propensity for the vehicle to roll over.

Universities in the United States created new policies after the NHTSA advisory was issued, establishing a new de facto transportation standard. Effective in April 2001, Purdue University set the following rules:

- ❑ 15-passenger vans cannot carry more than eight people at one time;
- ❑ towing by a 15-passenger van is prohibited;
- ❑ no vans of any size can be overloaded; and
- ❑ no vehicles may carry cargo on the roof.

Kansas State University does not allow its 15-passenger vans to carry more than 12 passengers.

The University of Central Arkansas says no more than 9 passengers are to be carried.

It is recommended that post-secondary outdoor programs consider these developments, and consider program policies that take into account the NHTSA advisory.

3.4.8 Alcohol and Drug Use

Instructors. Outdoor program staff are deemed to be on duty for the whole period of

a field trip. In the event of an emergency, all field trip staff may be required to take responsibility for students at short notice. While staff need to sleep and relax, they technically remain on duty even at such times. Only when staff cease to be members of the trip, or when the trip concludes do they cease to be on duty.

Community confidence in outdoor programs depends on staff maintaining the highest level of professional conduct at all times.

Alcohol or non-prescription drug use is totally inconsistent with such standards of conduct and alcohol and non-prescription drugs should not be allowed on field trips.

Instructors and drug and alcohol use

Instructors should not permit students to use alcohol or non-prescription drugs during an outdoor activity.

Instructors must ensure that the workers they supervise follow policies prohibiting alcohol and non-prescription drug use at work. Instructors must also follow these policies themselves.

Although the WCB provides no-fault compensation coverage, an impaired worker who has an injury at work (e.g., as the result of a fall while under the influence of alcohol) may be found ineligible for compensation if the WCB determines that impairment alone was the cause of the injury.

According to the WCB, it is the employer's responsibility to ensure that appropriate policies concerning alcohol and drug use are drafted and followed. The WCB's own policies regarding impairment are as follows:

❑ An employee must not be at the workplace while his or her ability to work is affected by alcohol, a drug, or other substance.

❑ An employer must not knowingly permit an employee to remain at the workplace while that person's ability to work is affected by alcohol, a drug, or other substance.

Note: Employers and employees need to consider fatigue as well as prescription and non-prescription drug use as other potential sources of worker impairment. Individuals must disclose their potential for impairment from any source (e.g., prescription medication) and work must be adequately supervised to ensure reported or observed impairment is effectively managed.

Students. In British Columbia, it is illegal for anyone under the age of 19 years to consume or possess alcohol in public. It is therefore generally accepted that educational institutions have an obligation to prevent students under the age of 19 years from drinking alcohol while on excursions.

For students over the age of 19, institutions' obligations are less well understood. Nevertheless, what is clear is that the consumption of alcohol by students increases the risk of injury to the students themselves and to others. In addition, the consumption of alcohol increases the risk of hypothermia and impairs the ability of students to respond appropriately in an emergency.
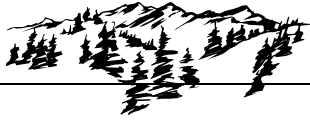
Therefore, an instructor's duty of care extends to all students, irrespective of age. Staff should explain clearly to students and parents (where applicable) that the consumption of alcohol is not permitted while on trips and outline the reasons for this policy. Students should sign an agreement not to use alcohol or non-prescription drugs.

4 Templates

The following section includes a variety of templates that may be used or adapted for use by program managers and instructors of outdoor courses. These templates may be downloaded from the Centre for Curriculum, Transfer and Technology website located at www.c2t2.ca.

This section includes samples of:

- ❑ Consent, release and indemnification forms
- ❑ Student medical examinations
- ❑ Incident and accident reports
- ❑ Student practicum agreements
- ❑ Pre-trip reports
- ❑ Post-trip reports
- ❑ A trip plan outline
- ❑ An emergency response plan outline
- ❑ Instructor protocols
- ❑ Death of a student procedures
- ❑ Program review formats
- ❑ A program manager's risk management checklist summary
- ❑ A prevention, preparedness, operations, and recovery checklist
- ❑ Health and Safety Checklist
- ❑ Worker Orientation Checklist
- ❑ WCB Contact Information

4.1 CONSENT FORM

(Institution name here)

CONSENT FORM

I _____hereby acknowledge participation in _____

_____ organized by the

_____

Department/Division of the **(institution name here).**

I acknowledge that adhering to instructions and guidance from the activity coordinator is in my best interests and that my conduct will be in accordance to rules and regulations imposed. I am aware of the risks inherent in the particular activity including, but not limited to the following:

1. _____

2. _____

3. _____

4. _____

I acknowledge that at any time the **(institution name here)** may refuse to allow participation to any persons who are a hazard to themselves or other participants involved in the activity.

_____   _____
Signature of Participant   Signature of Parent
                                                          (if participant is under 19 years of age)

_____   _____
Date   Date

4.2 RELEASE FORMS

GENERAL RELEASE/WAIVER FORMAT NO. 1

(Institution name here)
RELEASE OF ALL CLAIMS AND WAIVER OF LIABILITY

WARNING: BY SIGNING THIS, YOU GIVE UP THE RIGHT TO SUE

TO: (Institution name here)

In consideration of the **(institution name here)** in granting me the privilege of participating in the activity named below, I agree to this release of claims, waiver of liability, and assumption of risks (hereinafter collectively called this "Release").
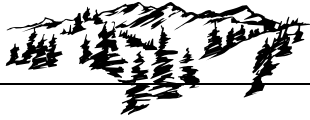
_____

_____

(Activity, Dates, Duration)

I waive any and all claims I may have against, and release from all liability and agree not to sue, the **(institution name here)** and its officers, employees, agents, and representatives (hereinafter collectively called "its Staff") for any personal injury, death, property damage or loss sustained by me as a result of my participation in the activity named above arising out of any cause whatsoever including, but not limited to, negligence on the part of the **(institution name here)** and its staff.

I am aware of all the dangers and risks inherent in the particular activity including, but not limited to the following:

1. _____

2. _____

3. _____

4. _____

In entering into this Agreement, I am not relying on any oral or written representations or statements made by the **(institution name here)** or its staff, including those in any brochures or calendars issued by the **(institution name here),** to induce me to undertake this particular activity.

GENERAL RELEASE/WAIVER FORMAT NO. 1, continued

I confirm that I have read and understood this Release prior to signing it, and agree that this Agreement will be binding upon me, my heirs, next of kin, executors, administrators, and assigns.

I agree that this Agreement is to be interpreted pursuant to the laws of the Province of British Columbia and I understand that if I have any questions regarding this waiver of rights, I should consult a lawyer prior to signing this Agreement. I acknowledge that at any time the **(institution name here)** may refuse to allow participation to any persons who are a hazard to themselves or other participants involved in the activity.

WITNESS (Or Parent/Guardian if under 19 years of age):

Signature (of witness): _____

Name (please print)**: _____

Address: _____

Occupation: _____

Date: _____

PARTICIPANT

Signature: _____

Name (please print): _____

Address: _____

Date: _____

Copies to: Participant, VP Admin/Finance, and Program Manager

OUTDOOR PROGRAM RELEASE FORMAT NO.2ˣ

(NAME OF THE INSTITUTION HERE*)*

(NAME OF THE PROGRAM HERE)

RELEASE OF ALL CLAIMS AND WAIVER OF LIABILITY

PLEASE READ CAREFULLY BEFORE SIGNING

I, _____ **(name)** of _____
(address) being of sound mind and the age of majority, hereby acknowledge and agree that in consideration of being permitted to participate in activities or programs organized by **(name of the institution here), (name of the program here)** (hereinafter referred to as the "Activity"), I agree to this Release of Claims, Waiver of Liability and Assumption of Risks (herein collectively called the "Release") as follows:
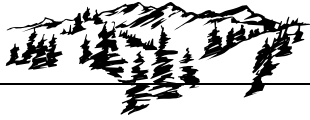
1.   I agree to RELEASE, SAVE HARMLESS AND INDEMNIFY the **(name of the institution here),** its directors, officers, employees, invitees, agents, representatives, officials, servants, successors, assigns and independent contractors (herein collectively called the "Agents") from and against all claims, actions, causes of action, costs, expenses and demands of any nature or kind whatsoever in respect to death, injury, loss or damage to my person or property, wheresoever and howsoever caused, arising out of, or in connection with my taking part in the Activity or while travelling to and from the Activity notwithstanding that the same may have been contributed to or occasioned by any act or failure to act including, without limitation, negligence of the **(name of the institution here)** and/or any one or more of its Agents.

2.   I am aware that the Activity includes without limitation the following:

   a)   canoeing, kayaking, rafting, nordic skiing, alpine skiing, backcountry skiing, rock climbing, ice climbing, mountaineering, wilderness travel, sea kayaking, helicopter use, search and rescue;

   I am also aware of the dangers and risks inherent in participating in the Activity and that they include without limitation the following:

   b)   hypothermia, drowning, avalanches, helicopter rotor blades, slipping and falling, falling objects, and suffering any type of accident including illness in remote areas without easy access to medical facilities;

   c)   human error;

   d)   inexperience of myself and the inexperience of other participants;

   e)   the dangers of wildlife causing direct damage to me but also resulting in erratic behaviour by myself and other participants;

OUTDOOR PROGRAM RELEASE FORMAT NO. 2, continued

3. I also understand, acknowledge and agree:

    a) that the physical demands of this particular Activity on me as a participant require that I am medically, physically, and emotionally fit and fully able to participate in this Activity, and that I have adequate knowledge of lake, river, ocean, mountain, and weather hazards, and that I have the skills to participate in the Activity, and that my clothing and equipment are satisfactory for participating in the Activity;

    b) that the **(name of the institution here)** prohibits the use of alcohol or drugs prior to and during the Activity and I agree that I will not participate in the Activity under the influence of alcohol or drugs or that the prior use of alcohol or drugs affects my ability in any way whatsoever;

    c) that at any time **(name of the institution here)** may refuse the participation of any persons including myself who are a hazard to themselves or to any other participants or to **(name of the institution here).**

I acknowledge and accept all of the inherent risks associated with my participating in this Activity and the possibility of personal injury, death, property damage or loss resulting therefrom and agree assume all the risks and waive notice of all conditions, danger or otherwise, in or about the Activity and to pay the cost of any medical attention rendered to me or to my benefit that may become necessary. Further, I acknowledge and agree that because of the remoteness of some of the areas where the Activity will take place in which I am participating, that first aid and medical treatment may be given to me by the leader or instructor or medical personnel then in attendance in the event of an accident, injury, or any illness during the Activity.

I acknowledge that I have carefully read this **RELEASE** and that by entering into this agreement and signing the same, I am not relying on any oral or written representation or statements made by the **(name of the institution here)** including those in any brochure or calendars issued by **(name of the institution here)** to induce me to undertake this Activity.

I agree that I have read this **RELEASE** and understand it and further agree that this **RELEASE** shall bind my heirs, next of kin, executors, administrators, and assigns.

I agree that this **RELEASE** is to be interpreted pursuant to laws of the Province of British Columbia and understand that if I have any questions regarding this **RELEASE** and the waiving of my rights I shall consult a lawyer prior to signing this agreement.

Dated at _____ this ____day of _____, 200__.

_____
Witness

_____
Print name of Witness

_____
Print address of Witness

_____
Signature of Participant

4.3   INDEMNIFICATIONS

(Name of the Institution Here)

INDEMNITY AGREEMENT[xi]

WARNING: IF A LAWSUIT IS BROUGHT AGAINST THE (name of the institution here), ITS OFFICERS, EMPLOYEES, AGENTS, REPRESENTATIVES AND INDEPENDENT CONTRACTORS (HEREINAFTER COLLECTIVELY CALLED THE INSTITUTION) THEN THE (name of the institution here) HAS THE RIGHT TO INDEMNIFY AGAINST ME.

TO: (the name of the institution here)

I agree that my son or daughter, being an infant, will be participating in a _____ course (hereinafter referred to as the "Course") and that those infants or minors may not be contractually bound by a Release of All Claims, Waiver of Liability and Assumption of Risk Agreement which I have seen and I have signed. I therefore specifically agree to indemnify the Institution against any and all claims, actions, and suits that may be instituted by my son or daughter.

I AGREE TO SAVE HARMLESS AND INDEMNIFY THE INSTITUTION **from any cause of action, suit, claim or liability of any kind whatsoever arising out of any cause whatsoever but not limited to negligence on the part of the Institution.**
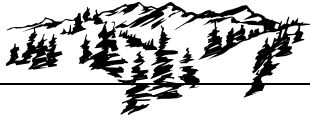
In entering into this Agreement, I am not relying on any oral or written representations or statements made by the Institution, including those in any brochure issued by the Institution, to induce me or my son or daughter to undertake and to participate in the Course.

I confirm that I have read and understood this Indemnity Agreement prior to signing it, and agree that this Agreement will be binding upon me, my heirs, next of kin, executors, administrators, and assigns.

I agree that this Agreement is to be interpreted according to the laws of the Province of British Columbia and I understand that if I have any questions regarding the waiver of my rights, or this Indemnity Agreement I should consult a lawyer prior to signing this Agreement.

Signed the_____ day of _____ (month), 20_____ at

_____ (city/prov)

Signature of Parent	Signature of Witness
Parent please print name clearly	Witness please print name clearly

4.4 STUDENT MEDICAL EXAMINATION FORM

(Name of institution here)[xii]

(Name of program here)

STUDENT MEDICAL EXAMINATION CERTIFICATE

**All Students MUST have medical coverage that covers them
for all the activities they will participate in while attending the program.*

Date:_____

1. **Student Information**

   Name: _____

   Address: _____

   _____

   Postal Code: _____

   Birthdate: (day/month/year)_____

   Health Care Plan Number: _____

   Extended Plan Number (if applicable): _____

2. **Emergency Information**

   In the event of an emergency notify:

   Name: _____

   Address: _____

   Phone No._____

   Relationship to you: _____

STUDENT MEDICAL EXAMINATION CERTIFICATE, continued

(Name of institution here)

(Name of program here)

STUDENT MEDICAL EXAMINATION CERTIFICATE

NOTE: The following medical examination should be carried out between 30 and 60 days prior to the start of your first course and submitted to **(name of institution here)** **no later than 30 days prior to the start of your course.**

3. To the Physician: The bearer of this medical certificate has applied to the **(name of institution here)** to attend an outdoor activity training course. This course is intended to train the participant in high-level performances in various outdoor pursuit activities including, but not limited to, whitewater canoeing and kayaking, hiking, mountaineering, and backcountry skiing.

This program includes very strenuous physical activity for long periods of time. Please make your examination and comments with this in mind. Thank you.

Height: _____   Weight: _____

I.   **The applicant has had:**

a. Previous fractures or dislocations   Yes ☐   No ☐

b. Hernia	☐	c. Heart disease	☐
d. Kidney disease	☐	e. Rheumatic fever	☐
f. Scarlet fever	☐	g. Tuberculosis	☐
h. Other previous illnesses	☐	i. Previous surgery	☐

II.   **The applicant is subject to:**

a. Asthma	☐	b. Fainting	☐
c. Hay Fever	☐	d. Bronchitis	☐
e. Diabetes	☐	f. Ear infection	☐
g. Seizures	☐	h. Allergies	☐
i. Other	☐		

j. If the answer is yes to any of the above, please explain. _____

_____

_____

STUDENT MEDICAL EXAMINATION CERTIFICATE, continued

(Name of institution here)

(Name of program here)

STUDENT MEDICAL EXAMINATION CERTIFICATE

III.   **General Information**

a. Nose_____   b. Throat   _____

c. Lungs _____   d. Abdomen   _____

e. C.N.S. _____   f. B/P   _____

g. Haemoglobin (if indicated) _____

h. Urinalysis: Albumin_____ Sugar _____

i. Vision _____   Colour Vision   Yes ☐   No ☐

    Test used_____

j. Are glasses or contact lenses used?   Yes ☐   No ☐

k. Hearing_____

l. Are hearing aids worn?   Yes ☐   No ☐

m. Is applicant on any medication?   Yes ☐   No ☐

    If yes, please state medication and amount taken _____

    _____

n. Has applicant had treatment for mental illness?   Yes ☐   No ☐

o. If yes, is he/she now considered stable & cured?   Yes ☐   No ☐

p. Does applicant appear to take stress well?   Yes ☐   No ☐

q. Has applicant ever abused alcohol or drugs?   Yes ☐   No ☐

r. Has the applicant ever had an addiction?   Yes ☐   No ☐

s. Are there any physical or psychological limitations?   Yes ☐   No ☐

    If yes, please explain_____

    _____

IV.   **Vaccinations / inoculations which are required. Please indicate date received.**

    a.   Diphtheria-tetanus (booster-within last 10 years) _____

    b.   Measles _____

    c.   Rubella _____

STUDENT MEDICAL EXAMINATION CERTIFICATE, continued

STUDENT MEDICAL EXAMINATION CERTIFICATE

(Name of institution here)

(Name of program here)

V.   Medications and amounts taken

a._____

b._____

c. _____

VI.   **Has the participant had a reaction to any medications?**   Yes ☐   No ☐

If so, which medications? _____

VII.   Has the participant or anyone in his/her family had a reaction to anaesthetic?

_____

VIII.   Blood Group _____

IX.   Overall Fitness _____

X.   Summary of abnormal findings including opinion regarding personality and intelligence:

_____

_____

XI.   General Comments_____

Being aware of the program requirements for this student, I believe he/she is:

Fit _____ **(Initials of Physician)**   Unfit _____ **(Initials of Physician)** to take this training.

How long has the Physician known the patient? _____ years

STUDENT MEDICAL EXAMINATION CERTIFICATE, continued

Physician's Name (please print) _____

Physician's Signature _____

Address: _____

Phone: _____

To be completed by a Physician. Please send this document directly to:

(Name of institution) _____

(Name of program) _____

(Address) _____

(Telephone) _____

STUDENT RELEASE TO BE SIGNED IN FRONT OF THE PHYSICIAN

I hereby give my consent to the physician to release any pertinent medical information. Further, once this document has been returned to the **(name of institution here),** I give permission for it to be released to a medical practitioner in the event that an accident, or any medical issue related to my health arises.

I also understand that two copies of this document may be kept by the **(name of institution).** One in the Office of the Occupational Health Officer and one in a sealed briefcase with a program instructor.

Date: _____

Student Name (please print) _____

Student Signature _____

4.5 INCIDENT REPORT

In case of serious incident, do not use this form without prior advice from your insurer representative

Note: this form is for student incidences only. For injuries to workers you should obtain copies of the accident reporting form and investigation procedures that are in use at your institution. You may receive these by contacting your institutional occupational health and safety office or the person in charge of OH&S for your department.

INCIDENT & ACCIDENT REPORT

(Use Additional Paper if Necessary)

Name of program: _____

Name of institution: _____

Address: _____

Report filed by:_____

Office phone: _____ Home phone: _____

Insurance policy number:_____

Effective date: _____

Name of injured party: _____

Age:_____ Gender:_____

Address: _____

Employment: _____

Home phone: _____ Employment phone: _____

Activity participating in:_____

Date of injury:_____ Time of injury: _____

Describe the extent of injury: _____

_____

_____

Describe the injured's mental status:

Confused ☐   Calm ☐   Panicked ☐   Aggressive ☐   Other ☐

INCIDENT REPORT, continued

Describe in detail what happened:_____
_____
_____
_____

Allergies & medications:_____
_____

Describe first aid given: _____
_____
_____

Is this a reinjury of an old condition? _____
_____

Activity time lost: _____ None _____ 1/2 day or more _____
Injury ended participation?_____
Describe evacuation:_____
_____
_____
_____

Describe location and accident site:_____
_____
_____

Describe the weather: _____
_____
_____

Air temperature (estimate): _____ Water temperature (estimate): _____

Wind:_____

Precipitation: _____ Clouds:_____ Visibility: _____

Identify and describe contributing factors: _____
_____
_____

Did equipment contribute in any way to the accident? (If yes, describe) _____
_____
_____

Were any photographs taken? (please forward) _____
_____
_____

INCIDENT REPORT, continued

Lead Instructor or Senior Guide: _____ Age_____

Experience/Training: _____
_____
_____

Guide whose participant/customer was injured:_____
_____
_____

Experience/Training: _____
_____
_____

Other guides on trip (name, age, experience): _____
_____
_____

Has the injured party signed a release and is it available?_____

Has the injured party participated in this activity at this location before? _____
Does the injured party presently have any type of medical coverage?_____
☐Yes   ☐No   If "yes" please specify name of company_____

Did the injured party contribute to the accident in any way?_____
_____
_____

Did the injured party state that he/she contributed to the accident in any way? _____
_____
_____
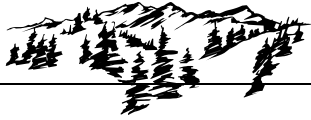
Did the injured party refuse first aid or evacuation? _____
_____
_____

Did another participant contribute to the injury? (describe)_____
_____
_____

Were there warnings or instructions that were not heeded?_____
_____
_____

Were there other people injured in this accident? (describe) _____
_____
_____

INCIDENT REPORT, continued

Additionally obtain and attach:
1. A copy of the Informed Consent and/or Liability Waiver that the injured party signed.
2. Written narrative statement by your guide of "what happened."
3. Names, addresses and phone numbers of all witnesses including:
    a. Guests
    b. Guides, and
    c. Other witnesses.
4. Witness Statements

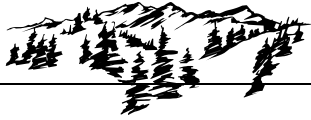Please provide complete and thorough Information and Reports as soon as possible.

SIGNATURE _____

DATE _____

TITLE _____

4.6 STUDENT PRACTICUM AGREEMENTS

STUDENT PRACTICUM
For the use of public post-secondary institutions only
CONTRACT
Practicum Education Program Agreement
Parties to the Agreement

Name of Student Worker				
Address of Student Worker	City	Province	Postal Code	Phone
Name of Business Supervisor				
Address of Business Supervisor	City	Province	Postal Code	Phone
Name of Parent or Guardian				

1. Employment: The student worker agrees to enter the employ of the employer and the employer agrees to employ and supervise the student worker.

2. Duties: The student worker agrees to perform for the employer the duties included in the job description as determined from time to time by the employer.

3. Supervision: During the hours of employment herein set forth the student shall be under the direct supervision and control of the employer, provided, however, the employer shall at all times permit the College/Institute or its representatives access to the employment site and the student.

4. Work Study/Work Experience Evaluation:
The employer shall, at the request of the College/Institute or its representatives, evaluate the student in the performance of his duties hereunder and report such evaluation on a form from time to time provided to the employer by the College/Institute.

5. Workers' Compensation:
Workers Compensation Board Act, Section 5(7), made the 1st day of July, 1974, by the virtue of approval of the Executive Council, deems a student worker an employee of the Government of the Province of British Columbia.

6. Remuneration: The employer shall not be obligated to remunerate the student for the services performed by the student pursuant to this agreement.

7. Board's Obligations:
It is agreed that, having arranged work experience for the student worker as herein set out, the College's/Institute's only other obligation is to maintain contact with the student worker and the employer to such extent as what to the College/Institute seems adequate or feasible and the College/institute shall not be liable for any damage or other claim arising out of any act or omission of any other party to this agreement.

8. Indemnity: In consideration of the College/Institute having arranged for the Work Study - Work Experience Education Program, the undersigned student (parents or guardians) agree jointly and severally, with the College/Institute to save harmless and indemnify the College/Institute with respect to any damages or costs incurred by the said parent or guardian occurring or allegedly occurring to the student worker, parent or guardian in connection with the aforesaid employment.

9. Termination: Any party to this agreement may terminate it by giving notice of termination to the other parties at the address shown in the agreement.

10. Employee: The employer agrees that the employment of the student hereunder shall in no way affect the job security of any other employee of the employer nor the employers hiring practice with regard to employees, full or part-time.

11. Insurance: The College/Institute maintains coverage with respect to its liability and that of the student workers under this program.

12: Exception: In the event the student shall be employed by the employer outside the scope of this agreement, the student shall be deemed to be an "employee" or "worker" for the purposes of all Statutes of British Columbia.

13. Minimum Age: The undersigned student (parents or guardians) hereby represent that the student worker at the date of the Agreement below was of the full age of 15 years.

Dates of Work Experience: _____ Hours: _____ (continued on next page)

Student Practicum Contract, continued

Address of Parent or Guardian	City	Province	Postal Code	Phone
Signature of Student Worker	Signature of Union Representative (if applicable)			
Signature of Instructor Responsible for Program	Phone			
Name of College/Institute	Phone			

Note: By Order-in-Council 3147 (September 27, 1974) the students, for the purposes of the *Workers Compensation Act,* have been deemed to be workers of the Crown. Students enrolled in programs authorized by the current Ministries of Labour and Education have been exempted from the provisions of the *Employment Standards Act* (May 14, 1981).

Distribution of Completed Agreement: Employer, Institution, and Student

4.7 PRE-TRIP REPORT

PRE-TRIP REPORT

(Name of Institution here)
(Name of Program here)

Trip Name:_____

Trip Date: _____

Instructors:_____

Cellular Phone Numbers:_____

Trip Itinerary:

Date	Night location, Contact number

Names of Students on the Trip:

Meeting Place: _____

Meeting Time: _____

Return Date & Time: _____

Additional Notes (time cellular phones will be on, etc.): _____

4.8 POST-TRIP REPORT

POST-TRIP REPORT
(Name of Institution here)
(Name of Program here)

Trip Name:_____

Trip Date: _____

Instructors:_____

Cellular Phone Numbers: _____

List and describe any injuries on the trip (students and staff).

_____
_____
_____
_____
_____

List and describe any near misses on the trip (students and staff).

_____
_____
_____
_____

List and describe any first aid treatment or evacuation necessary on the trip (students or staff).

_____
_____
_____

List and describe the reasons for any student or staff who left the trip prematurely.

_____
_____
_____

Describe any equipment lost or damaged and action taken.

_____
_____
_____

Vehicle Use (repairs needed, work done, action taken)

_____
_____
_____

4.9 TRIP PLAN

The following is an outline for a trip plan.[xiii]

1. Trip Description

This section of the trip plan should include a description of the trip, identify its location, and provide a short narrative of the trip.

2. Itinerary and Time Plan

This section of the trip plan should include a description of the trip itinerary, show camping points, identify exit routes, and carry out an analysis of the terrain. It should show a clear time plan of the length of days and travel times. Maps are helpful.

3. Staffing Needs

This section of the trip plan should list the number of staff required, the hiring qualifications and training requirements, and list the instructor to student ratio required.

4. Suitability of Clientele

This section of the trip plan is to provide a description of the type of student suitable for the trip. This should include age, sex, fitness requirements, experience levels, prior training required, etc. The intent is to demonstrate an appropriate trip-student match.

5. Logistics

This section of the trip plan should provide starting and ending points, times of departure and return, support staff requirements (drivers, food preparation, etc.), person checks for staff in isolated work sites, and any special demands on program support services.

6. Equipment Requirements

This section of the trip plan should provide a list of personal and group equipment to be pro-vided by the student or the program. Include clothing lists, group equipment lists, and first aid and repair kits.

7. Income and Expense Budget

When creating a trip plan that is to act as a proposal, an income and expense budget may be required for approval.

8. Wrap-up

This section of the trip plan is to detail the wrap-up elements that will be carried out such as equipment clean up, inventory, debriefings, reporting, etc.

9. Evaluation

This section is to describe the evaluation processes that will be used after the trip. This may include safety and incident reports, student satisfaction surveys, whether the program met its goals and met its budget, etc.

10. Trip Approval

This section is to identify who approved the trip, that person's title, and the date the approval was given.

11. Trip Policies

Many of the policies pertaining to an individual trip may carry over from the risk management plan. As a "higher level" plan, any trip policies must assume that risk management plan policies will be applied. For example, driving policies and instructor to student ratios may be found in the risk management plan. In addition, there may be policies specific to the specific type of trip such as rules applied to isolated river trips, the levels of water a river could be paddled in, the use of firearms in bear country, etc.

12. Hazard Identification and Risk Analysis

Similar to that carried out in the Risk Management Plan, but specific to this trip, the hazard analysis should identify the things both human-caused and natural which could pose a threat to the people (including students, staff and employees) and property on the trip as well as to the program.

Risk analysis is a structured process that attempts to identify both the extent (severity) and likelihood (frequency) of potential incidents. Risk analysis should answer several basic questions:

❑ What can go wrong?

❑ How likely is an incident to occur?

❑ What are the potential effects and consequences?

Examples of hazards to staff and students may include such things as bear contact, rockfall, avalanches, inclement weather, sweepers, and isolated work sites.

Identify the types of emergencies that have occurred in the area of operations, determine which scenarios are plausible, and categorize them.

13. Impact Analysis

Impact (vulnerability or effect) analysis determines the effects the hazard will have on personnel and/or the program if an accident should occur. These analyses track the hazards from their source to potential areas of damage. The analysis can easily quantify the risk into categories of frequency (often, occasional or rare) and

severity (severe, moderate, minor or none). The threats which rate high in either or both categories require strategies to reduce their impact and plans to respond to accidents caused by them.

14. Resources

Hazard identification and risk assessment assist in defining what external and internal resources, both personnel and equipment, might be needed to deal with probable scenarios. All resources required to effectively respond to an emergency on this specific trip should be identified. Locations, quantities available, accessibility of equipment, supplies, sources of food, clothing, shelter, maps, etc., should be identified.

Knowledge of the capabilities of various external response groups such as ambulance, police, search and rescue groups and other commercial operations should be determined. Clearly defined procedures should be written to mobilize the various resources as needed during the emergency.

15. Contact Telephone List

A list of telephone numbers and radio frequencies of internal and external resources should be compiled and maintained. This should be readily available at the program office and instructors in the field should carry any numbers that may be needed.

16. Search and Rescue Response

Leave this trip plan with someone in your organization who has directions for what should be done and who should be called if the group is overdue.

4.10 EMERGENCY RESPONSE PLAN

The following is an outline for an emergency response plan.

I. OVERVIEW

An Emergency Response Plan should include:

1. Maps showing details of routes used and locations of nearest phones.

2. Protocols for first aid treatment and procedures.

3. Explanation and designation of various responsibilities among staff and students

4. Emergency phone lists and emergency phone-in procedures.

5. Guidelines for what to say and not to say.

6. Witness and guide statement forms and/or procedures.

7. Evacuation methods protocol. Do we self-evacuate, use rescue personnel, or call a helicopter?

8. Incident and accident report forms and procedures for filling out.

9. Policies and procedures for dealing with a fatality.

II. PREVENTION AND MITIGATION

1. Identify and note the risks to which the program may be exposed and the extent to which the program activities create a hazard

2. Implement safe practices that comply with industry standards and occupational health and safety requirements

3. Prepare a list of emergency contacts for essential services including the institution, police, fire, ambulance, hospital, and doctor.

III. RESPONSE AND RECOVERY

Identify:

1. First-aid requirements

2. Roles of key personnel

3. Alternative means of communications

4. Locations for an emergency coordination centre, a recovery room for those affected

5. Who will be responsible for ensuring compliance with provincial and legal requirements

6. A strategy for managing media issues and nominate a spokesperson

7. Immediate actions required following notification of an emergency

8. Agencies to be notified

9. Responsibility of staff and students

10. Possible members of an emergency management team such as:

- ❏ Chaplain
- ❏ Nurse/doctor
- ❏ Program manager
- ❏ Teacher
- ❏ Administrative support/ancillary staff
- ❏ Business manager
- ❏ Consultant
- ❏ Guidance officers/social workers
- ❏ Public relations personnel
- ❏ Insurer representative

Describe arrangements for:

1. Separating emergency responsibilities from ongoing, routine responsibilities

2. Allocating emergency responsibilities to staff

3. Gathering information about the incident under instruction from the insurer

4. Managing verbal and written information

5. Informing staff, students, parents

6. Providing situation reports to institutional administration

7. Providing counselling and trauma services

8. Coordinating institutional involvement in funeral arrangements and memorials

9. Liaising with outside agencies

10. Maintaining normal institutional routines and activities

11. Managing media issues.
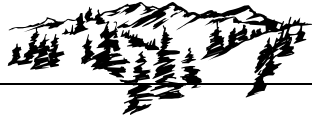
Review:

1. Review and revise existing plan

2. Update the plan following any significant emergency.

IV. FUNDAMENTAL ISSUES:

A. The Recovery Environment

The effectiveness of the recovery environment depends on:

1. How much factual information is provided about the event and its effects

2. The nature of reactions and extent of support provided by parents

3. The reactions and support provided by instructors

4. The extent to which the institution provides a supportive environment

5. Whether the significance of the event is confirmed by others

6. The support provided by friends and others

7. The nature of the institutional climate

8. The extent to which specialist intervention and support is available.

B. Identifying Likely Risks

Identify the types of emergencies that might give rise to traumatic stress in the program. Consider the risks that are most likely to affect the program. The Emergency Response Plan should take into account the field hazards identified in Trip Plans, and should take into account business hazards identified in the Risk Management Plan.

Pre-planning includes preparation of resources to be used during an emergency. Staff and students should be familiar with the types of emergencies likely to be encountered, how to protect themselves from harm, and what the likely response will be to different scenarios.

C. Communication

Identify who will provide administrative support during the emergency including answering telephone queries from the institutional community, WCB, media inquiries, and requests from police and the emergency services.

Devise mechanisms to manage the increased telephone calls, visitors, paper work, and appointments. Plan for the workload to double. Program routines will need to continue as much as possible, while at the same time, emergency responsibilities need to be fulfilled.

D. Possible Responses

Consider how those affected are likely to react.

Consider how different groups within the institutional community may react. Students, instructors, parents and support staff will have different needs and may react accordingly. Consider the impact on different cultural groups and on students from non-English-speaking families.

Identify those who are affected and need support.

Account for everyone who was at the site during the incident, noting the type of exposure. Track any students who were released to the care of guardians or parents during the emergency.

Track location of students and staff during the rescue effort.

In the turmoil following an emergency, it is important the program personnel record the location of anyone who is taken from the site for medical care or other purposes. When death or injury is a factor, trying to find the whereabouts of a student can be a significant stressor during an emergency.

Consider how, when and where parents and students are to be reunited.

4.11 INSTRUCTOR PROTOCOLS

4.11.1 Introduction

This is a sample protocol to provide direction to instructors in the field for how they should respond to emergencies, and to provide direction to them regarding their financial authority in an emergency. Institutions may change this format to suit their specific needs.

Generally, the protocol should reflect the premise that "if it needs to be done, do it, and absorb the financial implications later."

4.11.2 Level of Response

While it is the intent of the program that emergencies be responded to in as self-contained a manner as possible, it is recognized that there may be instances where outside assistance is required.

TYPE 1 RESPONSE

It is anticipated that most injury evacuation will be Type 1. This is an accident where the instructor and students on the scene will be able to facilitate both first aid treatment and evacuation with personnel and materials that are with the group. The response is self-contained.

TYPE 2 RESPONSE

This is an accident which requires the assistance of additional personnel, and may include a helicopter evacuation.

TYPE 3 RESPONSE

This is an accident with complications which requires external assistance (usually the assistance of organized responders).

TYPE 4 RESPONSE

This is a fatality.

4.11.3 Response Protocols

TYPE 1 incidents should be reported to the Progam Manager upon course completion.

TYPE 2 injury evacuations may require either additional personnel and/or helicopter assistance to evacuate the patient.. Additional personnel may include other instructors or students, or other guides or recreationists in the vicinity. In these type of incidents it is anticipated that the instructor will oversee first aid treatment prior to evacuation. If a land-based evacuation is not suitable and air evacuation is required, on-scene instructors may authorize a BC Emergency Health Services air evacuation. If this is not possible for some reason, a commercial helicopter may be authorized. In Alberta and the US a commercial helicopter may be authorized. These type of incidents should be reported to the Program Manager at the earliest convenient time.

TYPE 3 injury evacuation may require organized rescue responders to affect the evacuation or rescue. These responders might include personnel such as National Park Service Wardens, Kananaskis Country Rangers, Department of National Defence, or the BC Provincial Emergency Program SAR volunteers. On-scene instructors may authorize the initiation of such services if deemed necessary.

These type of incidents should be reported to the Program Manager at the earliest possible time.

TYPE 4 responses should be reported to the closest RCMP detachment and the program at the earliest possible time. The patient should not be moved from the accident site until authorized by the coroner or RCMP.

4.11.4 Communications

Attempts should be made to communicate with the program regarding emergencies by secure landline means. Caution must be exercised when communicating regarding emergencies when on non-secure communication means such as mobile radios, cellular phones, VHF or UHF radios.

When attempting to communicate with the program regarding emergency situations, instructors should contact, in the following order, one of:

❑ Program manager

❑ Other senior program staff

❑ Institution's public relations director

Students should not be required to communicate with the institution regarding emergency situations as this is the domain of an instructor.

Media or Public Interviews

Contracted instructors or students of the program are expected not to give interviews or other information to either members of the media, the general public, or the patient's family until such time as permission is given by the program. The program will provide a liason person with the responsibility to provide information regarding the incident to the media, public or family. This will be done in conjunction with the on-scene instructor and possibly legal counsel.

In the event of an accident, instructors need to provide adequate student control to ensure that students are aware they should not provide information to these interest groups.

4.11.5 Insurance

Students are required to have adequate medical insurance coverage for the program activities. This usually involves a minimum of a provincial health care plan for activities within Canada.

For courses which leave Canada, students and instructors are required to provide adequate medical coverage for themselves. Instructors must confirm with all students prior to leaving Canada that they are adequately covered for the activities they will be involved in.

CONTACT PERSON AND PHONE NUMBERS	Work	Home	Cellular
Program manager			
Senior staff			
Local public relations director			
Local police authority			
Local PEP SAR group			
BC Ambulance Service (BCAS) Dispatch			
Local helicopter company			
Local guiding businesses			
WCB (for reporting serious accidents to staff)			

4.12 DEATH OF A STUDENT PROCEDURE[xiv]

This is a sample protocol to provide direction to Program Managers for how they should respond to the death of a student. Institutions may have their own policies. Contact your institution's health and safety office to see what the procedures are for fatalities involving staff.

I. Death of a student not on a course

In the event of a death of a student, the Office of the Registrar should be informed as quickly as possible to avoid unnecessary distress for the family, to proceed with follow-up action as needed, to put response networks in place to help students and staff deal with the loss, and to update all records. In all cases, notify the Office of the Registrar, the Office of the President and the office of the provincial coroner.

II. Death of a student on a course

1. The instructor will immediately:

   a)   Call in medical personnel.

   b)   Notify the Program Manager.

2. The Program Manager should notify the Registrar who will as necessary:

   a) Notify the local police authority and coroner to begin investigation.

   b) Notify the insurer.

3. Contact health officials to pronounce death if this has not previously been arranged by the program manager or instructor.

4. Request that the police notify the parents and EITHER:

   a) Give police the name and telephone number of institution contact who may be contacted by the parents/family for information; OR

   b) Give police the arrival time and name of the institution contact that will visit family with Public Relations Director.

5. Request confirmation of police contact with the family.

6. Notify the Bursur and report to the insurer.

7. Notify and Public Relations Office.

8. Notify the appropriate Dean.

9. Notify the Counselling Department.

10. Notify the maintenance personnel, if required.

11. Obtain student schedule and ensure that faculty are notified before classes begin.

12. Call a meeting of Student Services staff and academic departments to address the needs of the situation (re: students, staff, family, etc.) and delineate duties.

The President will, as necessary:

1. Notify the Ministry of Advanced Education.

2. Notify the Board of Governors.

3. Approve all communications.

Police will**:**

1. Handle all investigations.

2. Notify the student's family:

If student's family lives locally, an institution official may be designated to visit with the police

If student's family lives some distance away, police will relay the name and telephone number of an institution person who may be contacted for further information.

Return call to Registrar or Community Contact Person confirming notification of family.

The Registrar (or in the absence of the Registrar, the appropriate manager) will, if necessary:

1. Provide follow-up information to academic administrators and Department Chairs.

2. Ensure a follow-up call is made to family to assist with arrangements or visit; offer to contact local clergy for family.

3. Arrange for an institution representative to be present when the family arrives on campus and for them to have privacy.

4. Arrange for a clergy member to be present when family arrives if desired by family.

5. Order flowers for the family on behalf of the Institution.

6. Contact Human Resources to request lowering of the institution flag to half-mast for a designated period.

7. Notify Financial Aid and Awards Officer regarding outstanding student loans and the possibility of donations being directed towards the institution or memorial fund (No action taken until approved by the Registrar).

8. Notify the Library.

9. Contact legal counsel, if appropriate.

10. Maintain chronological listing of events and procedures pertaining to the death.

11. Inform Deans and department of process for immediate recognition of death (e.g. cancellation of institution events, memorial service, one-minute silence).

12. Confirm use of institutional vehicles and student release time for students to attend services.

13. Call an initial meeting of student support staff to review the needs of other students, faculty, and staff, and develop procedures to meet these needs. Consider the following:

a) To help deal with the loss

❑ call a meeting of close friends and roommate(s) to discuss feelings and grieving process

❑ call a meeting of other students

❑ call residence meetings whenever appropriate to deal with feelings/issues/problems

❑ assist students in planning an on-campus memorial service or memorial fund, if desired

❑ meet with program instructors, as necessary, to maintain involvement and communications

b) To facilitate student needs

❑ coordinate transportation services to funeral, if necessary

❑ arrange for on-campus tribute, as appropriate.

14. Maintain a sensitive approach to all students, staff, faculty and community members.

15. Consider the needs of personnel who have been working directly with the issue and plan accordingly.

The Records Clerk will:

1. Seal the student's manual file, marking it "Deceased."

2. Update computer system to ensure family does not receive any further correspondence from the Institution.

3. Notify Accounts Office to refund any applicable tuition, housing fees, or deposits payable to the estate of the deceased.

4. Notify sponsoring agency, if applicable.

Financial Aid and Awards Officer:

1. Follow-up on student loans; notify the authority that provided the loan.

2. Prepare for memorial fund, if requested.

Communications Officer:

1. Answer media requests for information (this should be coordinated with insurers).

2. Prepare communications as directed by the President.

NOTE: Consistent information must be disseminated; this is best achieved through one centralized office.

4.13 PROGRAM REVIEW FORMAT[xv]

The following subheadings address philosophical, educational, and ethical concerns relevant to program reviews.

4.13.1 Management and Operations

General Philosophy

1. Program activities are based upon using direct, personal experiences.

2. Program activities focus on challenging participants appropriately.

3. Participants are actively involved in program activities.

4. Participants are impelled to become personally involved and responsible.

5. Activities are real and meaningful in that they have natural consequences.

6. Synthesis and reflection are used as elements of the change process.

7. Changes are participant-based rather than facilitator-based.

8. Changes are designed to have present as well as future relevance for the participant.

4.13.2 Program Ethics

General Philosophy

1. Staff conduct experiences with an appropriate level of competence.

2. Staff conduct experiences with integrity.

3. Staff conduct experiences in a responsible manner.

4. Staff conduct experiences with respect for the rights and dignity of participants.

5. Staff are concerned for the well being of participants, other staff, and themselves.

6. Staff recognize their level of social responsibility.

7. Staff avoid dual relationships with participants that impair professional judgement.

4.13.3 Environmental Concerns

General Philosophy

1. The program has written guidelines that focus on environmental ethics, and it follows these principles.

Environmental Understanding

1. The program does not conduct activities that cause permanent damage to the environment.

2. The program conducts activities that leave "no-traces" on the environment, or when appropriate, only minimal impact on the environment.

3. The program respects the wildlife of the area.

Human Understanding

1. The program respects the local culture, including both social and physical aspects.

Conducting the Activities

1. The program selects routes for travel where impact to the environment is minimal. In fragile areas, routes are on trails whenever possible.

2. If human waste is disposed in the natural environment, it is done so in a minimally invasive manner. If this cannot be accomplished, it is carried out. If needed, toilet areas are constructed for the type of environment where activities are conducted.

3. All paper and packaging is disposed of properly.

4. Support animals or vehicles are restricted to established and permitted roads and trails.

5. Domesticated animals are permitted only where their effect on the environment can be limited appropriately.

6. The program limits the visual impact of its activities.

7. Alternatives for soap are pursued first. If any soap is used it is biodegradable and in appropriate portions.

8. Washing is conducted at a minimum of 100 feet away from water sources whenever possible.

9. Cooking and food handling are conducted in a manner that will not affect or attract animals.

10. Food is appropriately stored, and in reusable containers when possible.

11. If food is not used, it is carried out. If this cannot be done, it is disposed of in a minimally invasive manner.

12. Fires are used only when appropriate.

13. Minimal impact techniques for fires are used.

14. Tents, tarps, or hammocks are used in place of constructing shelters from surrounding resources.

15. Tents, tarps, and hammocks are set up in an environmentally appropriate manner.

4.13.4 Risk Management

General Philosophy

1. The program has written policies intended to protect the health and safety of participants and employees.

2. There are written Risk Management (Health and Safety), Emergency Response, and Trip Plans.

3. The program has a designated and functioning Safety/Risk Management Committee.

4. The program informs participants of the nature of the activities, the potential risks involved, and the responsibilities that are expected for participation. The program also solicits information from participants to facilitate screening and to make informed decisions regarding their ability to participate.

5. The program has a policy of no alcohol or drug use during program activities and by employees on duty.

6. All staff and participants go through an admissions and medical screening process appropriate for the program.

7. Communications protocol: The program has an established and appropriate person check system for staff and for calling upon emergency medical and/or rescue services in the event of a serious or life threatening injury, illness, or lost person(s).

8. Search and Rescue: The program has a search and rescue protocol, and staff skilled in carrying out this protocol.

9. Evacuation: The program has an evacuation protocol, and staff skilled in carrying out this protocol.

10. Notification Protocol: The program has a notification protocol that is to be used in the event of an emergency or accident.

11. Emergency response kits are present for all activities.

12. The program maintains facilities that conform to all applicable national, regional, and local laws and regulations.

13. The program uses appropriate activity sites.

14. The program conforms to applicable national, regional, and local laws and regulations pertaining, to land access, which includes having any use and access permits required.

15. The program provides for adequate shelter, clothing, food, water, and equipment for the kinds of activities presented.

16. The program has explicitly designed staff ratios for each activity.

17. The program engages in periodic internal and external safety reviews to look at participant and staff safety.

18. Forms – The existence and proper location of the following forms can be verified:

    i) Administration

    ii) Health

    iii) Emergency

    iv) Student educational materials

    v) Liability releases

    vi) Insurance coverage

    vii) Transportation policies

    viii) Licenses and permits

4.13.5 Staff Qualifications

General Philosophy

1. The program hires staff who are adequately qualified for the activities and participants they will be involved with, and the program has an appropriate system of supervising, training, and assessing staff.

Environmental Understanding

1. Staff are familiar with program areas where activities are conducted.

2. Staff are skilled in observing, interpreting, and predicting basic weather patterns.

3. Staff are skilled in appropriate navigation techniques for the program areas encountered.

4. The program and staff are familiar with the plants and animals that can cause harm and with how to prevent contact and treat medical emergencies that may arise from inadvertent contact.

Human Understanding

1. Program and staff are appropriately familiar with participants' medical and psychological histories and health needs.

2. Staff select activities based on participants' skill levels and psychological readiness.

3. All staff have appropriate levels of training to identify and cope with the psychological needs of participants.

Conducting the Activities

1. Staff are capable of conducting operations appropriately in the terrain where activities occur.

Emergency Procedures

1. Staff are familiar with and can carry out the protocols in their Risk Management and Emergency Response Plans.

2. Staff have had the appropriate theoretical and practical training to provide emergency medical care.

Clothing and Equipment

1. Staff are skilled in improvising to meet clothing, equipment, and shelter needs in case of emergencies.

Nourishment

1. Staff are skilled in improvising to meet food and water needs in case of emergencies.

4.13.6 Ground

General Philosophy

1. The program has adequate written ground transportation policies.

2. The program follows its established ground transportation operation procedures.

3. Established forms are in place for ground transportation activities.

4. There are driver screening, testing, and training procedures in place.

5. Vehicles and drivers have appropriate licenses for operation.

4.13.7 Water Transportation

General Philosophy

1. The program has adequate written water transportation policies.

2. The program follows its established water transportation operation procedures.

3. Established forms are in place for water transportation activities.

4. There are driver screening, testing, and training procedures in place.

5. Boats and personnel have appropriate licenses for operation.

Environmental Understanding

1. Boats are selected for use and are appropriate for the intended area of operations.

Conducting the Activity

1. Appropriate logistical operating procedures are in place.

Emergency Procedures

1. Staff are knowledgeable of what is needed to conduct water search and rescue and/or medivac procedures, including the agencies that must be contacted.

2. Appropriate methods of communication are in place to operate water search and rescue and/or medivac procedures.

Clothing and Equipment

1. Staff have appropriate equipment, or the ability to improvise when necessary, to conduct water search and rescue and/or medivac procedures.

2. Participants have, or are provided with, adequate protective clothing.

4.13.8 Air

General Philosphy

1. For sites where it is appropriate, the program has access to airplane and/or helicopter use.

2. Aircraft have valid certificates, registrations, and weight and balance sheets, and pilots have current licenses and ratings required.

Environmental Understanding

1. Landing zones are appropriately selected and monitored.

Conducting the Activity

1. Appropriate ground operations are in place to maintain safety.

2. Staff are knowledgeable of the features needed to conduct air search and rescue and/or medivac procedures.

3. Appropriate methods of communication are in place to operate air search and rescue

and/or medivac procedures.

Clothing and Equipment

1. When possible and appropriate, programs have the ability to improvise equipment to conduct air search and rescue and/or medivac procedures.

2. Participants have, or are provided with, adequate protective clothing.

4.14 PROGRAM MANAGER'S RISK MANAGEMENT SUMMARY

4.14.1 Program Risk Management

Program managers should adopt the position that risk management is a whole of organization responsibility, with institutional administration, program managers, instructors and students having a role to play.

Program manager's due diligence requires the pre-planning and implementation of proactive risk management. Risk management stages include: preparedness, prevention, response, and recovery.

1. Consider the program structure, systems, policies, procedures, resources and equipment and how they affect the management of risk.

2. Implement a systematic approach to the management of risk.

3. Keep good records.

4. Identify which program procedures are required practice, common practice, suggested practice, or best practice.

5. Identify field- and program-level hazards.

6. Understand their duties under the *Workers Compensation Act* and the Occupational Health and Safety Regulation.

7. Ensure that the institution has a health and safety program for workers and that the policies and procedures developed as part of this

program are appropriate for the type of work being performed by program staff.

4.14.2 Risk Management Duty of Care

1. Program managers and instructors are to conduct appropriate due diligence to all aspects of operating a safe and quality program.

2. Due diligence is defined as a knowledgeable professional, applying a professional level of diligence to the delivery of a program.

3. A program should operate to a professional code of ethics.

4.14.3 Land Access

1. BC Parks requires post-secondary outdoor programs to hold valid Park Use Permits.

2. Land and Water BC requires post-secondary outdoor programs to hold Commercial Recreation Permits. There are also strategic reasons for a program to do so.

3. National Parks permit requirements for post-secondary outdoor programs are unclear at this time.

4.14.4 Record Keeping and Incident Reporting

1. Administrative systems should be put in place to capture and hold, for at least seven years, student application forms, résumés, medical forms, informed consent forms, legal release forms, course evaluations, program evaluations, incident report forms, accident report forms, close call reports, student practicum contracts and evaluations.

2. Any incident involving, or potentially involving, loss or damage should be reported and records kept.

3. Incident reports are to be completed for all incidents involving students and staff.

4. Incident reports are to be completed for near misses and held by the outdoor program.

4.14.5 Student Practicums

1. A Student Practicum Contract is to be completed for all student practicums.

2. Students on practicums at work sites in BC are covered by WCB.

3. WCB coverage is not provided for student practicums for out-of-province work sites.

4.14.6 Instructor Qualifications

A qualified instructor for post-secondary outdoor programs is someone who:

1. Has demonstrated instructional skills.

2. Has extensive prior instructional experience in the activity being taught.

3. Has extensive prior trip leading experience in the activity if the activity is a multi-day trip.

4. Has demonstrated good judgement that has been developed from long-standing field experience.

5. Has extensive prior field experience in a variety of operating conditions and locales.

6. Has external certification of their technical ability in the activity being taught (by an external third party, i.e., court and industry recognized governing body).

7. Operates within recognized governing-body professional and terrain guidelines.

8. If a senior instructor or trip leader, holds an advanced wilderness first aid qualification; if an instructional assistant, holds at least a basic wilderness first aid qualification — by an industry recognized wilderness first aid provider.

9. Holds the appropriate level of first aid certification required under the Occupational Health and Safety Regulation.

10. Is knowledgeable about both the hazards involved in the work and the means to control these hazards.

11. Is trained in appropriate hazard evaluation and emergency situation management and response for the activity being taught.

4.14.7 Employee or Self-Employed?

The four primary tests used by the CCRA to determine whether a worker is self-employed or an employee are:

1. Who is in control of the workplace?

2. Who owns the tools used to conduct the work?

3. Who stands the chance for profit or loss?

4. Who integrates the work into their operations?

The institution should determine whether contractors are adequately covered for work-related injuries. If not, the institution may be liable. (See Section 2.9.2 for more information.)

4.14.8 Equipment

Program staff must ensure that:

1. The amount equipment is appropriate for the activity.

2. The equipment was manufactured for the purpose in which it is used.

3. The equipment is in good condition, and is repaired, maintained, and inspected as required.

4. The type of use and the amount of use of an item can be proved (this may be through a log book or other proof).

5. Equipment is retired as required.

6. All customary safety adjustments are made to equipment (this includes such things as floatation in kayaks and canoes, etc.).

7. All necessary safety, first aid and emergency response equipment is readily available to support an activity.

4.14.9 Releases, Waivers and Informed Consents

1. In high risk activities, a waiver is used.

4.14.10 International Travel

1. Students are required to carry travel insurance, that covers all the activities engaged in, when a course travels out of country.

2. Instructional staff are required to hold full internationally recognized certification when instructing an out of country course.

3. All courses operating in the United States are required to hold valid land use permits as required by the relevant State or Federal jurisdiction.

4.14.11 Instructors

An outdoor program instructor's responsibilities include, but are not limited to:

1. Being aware of the customary norms for the activity being taught.

2. Having qualifications and experience for the activity and level being taught.

3. Ensuring that they, or the program has adequately planned, in writing, the trip being led.

4. Ensuring that they, or the program has adequately planned, in writing, the emergency response for the trip being led and that you carry these directions in the field.

5. Ensuring that the institution's Health and Safety Plan for workers and safety policies and procedures are appropriate for the type of work being done by program staff.

6. Carrying adequate communication equipment for the isolation, level, and philosophy of the trip.

7. Teaching to customary curriculum and guidelines, and if deviating from this, document their rationale at the time.

8. Keeping good records of close calls and incidents that occur.

9. Maintaining control of the group at all times.

10. Not drinking alcohol or use drugs on trips.

11. Understanding their duties under the *Workers Compensation Act* and the Occupational Health and Safety Regulation.

12. Ensuring that they conduct adequate safety talks and provide adequate warnings of the hazards in an activity.

4.14.12 Contracts

1. Care should be taken when signing contracts to reduce the risks the contract may bring the program.

2. Special care should be given to contracts that include:

   ❑ Indemnity clauses

   ❑ Insurance clauses

   ❑ Hold harmless clauses

❑ Other limitation clauses

❑ Repair clauses

❑ Broad language intended to transfer responsibility to the institution

4.14.13 Common Practices In Field Activities

1. Programs should establish a defendable, minimum operating standard for all activities.

2. Minimum operating guidelines are determined by:

   ❑ Adhering to legal or statutory requirements.

   ❑ Adhering to common practices conducted by other similar programs.

   ❑ Adhering to any suggested practice found for the activity.

   ❑ Adopting best practices found for the activity.

4.14.14 Common Practices in Planning

1. Common program planning practices include the development and implementation of:

   ❑ Risk management plans

   ❑ Trip plans

   ❑ Post-trip reports

   ❑ Emergency response plans

   ❑ Instructor emergency protocols

   ❑ Safety reviews

4.14.15 Search and Rescue

1. Land and inland water SAR in British Columbia is the responsibility of the local police authority and conducted by volunteer Pro-

vincial Emergency Program (PEP) supported community SAR Groups.

2. The PEP provides support and assistance to SAR agencies and volunteer groups throughout BC.

3. PEP supported SAR Groups are led by a local SAR Manager, who is trained and certified by the Justice Institute of BC on behalf of PEP.

4. PEP supported SAR Groups have access to all Provincial resources in support of a SAR.

4.14.16 First Aid

1. It is common practice for outdoor program lead instructors to hold a valid "Advanced Wilderness First Aid" qualification.

2. It is common practice for assistant instructors to hold a valid "Basic Wilderness First Aid" qualification.

3. Staff must hold the appropriate level of first aid certification required under the Occupational Health and Safety Regulation.

4.14.17 Student Medical and Fitness

1. Post-secondary outdoor programs should screen students for medical condition and fitness prior to the student attending the program.

2. The program should document this screening process.

4.14.18 Field Trip Site Familiarity

1. It is reasonable to expect that generally, outdoor programs will not run field trips to geographic areas that are not viewed as "instructional terrain."

2. Instructors should be familiar with the terrain in similar seasonal conditions.

4.14.19 Student Vehicle and 15-Passenger Van Use

1. Students should be discouraged from using personally owned vehicles to, from, or during courses.

2. Care and attention should be given to how 15-passenger vans are driven and loaded for course use.

4.15 THE RISK MANAGEMENT PROCESS

One way of creating a checklist for planning risk management and preparing for emergency response is to use Table 4.1, "Elements of the Risk Management Process." Adapted from emergency management theory, the Risk Management Process is made up of four components: prevention, preparedness, operations and recovery.

The focus of the planning component is directed towards the prevention and mitigation of emergencies. The process culminates in the development of a program's risk management preparedness. Not all emergencies are preventable, and emphasis is directed towards the operation of safe programs and minimizing the effect of emergencies that occur. Both during and after emergencies, post-secondary institutions have a major responsibility to support individuals who may be traumatized as a result of their exposure to the emergency. The institution must also implement recovery procedures that guide the program back to a normal operational state.

Managers may use "Elements of the Risk Management Process" as a checklist to identify the planning documents, policies, and actions their institution must implement.
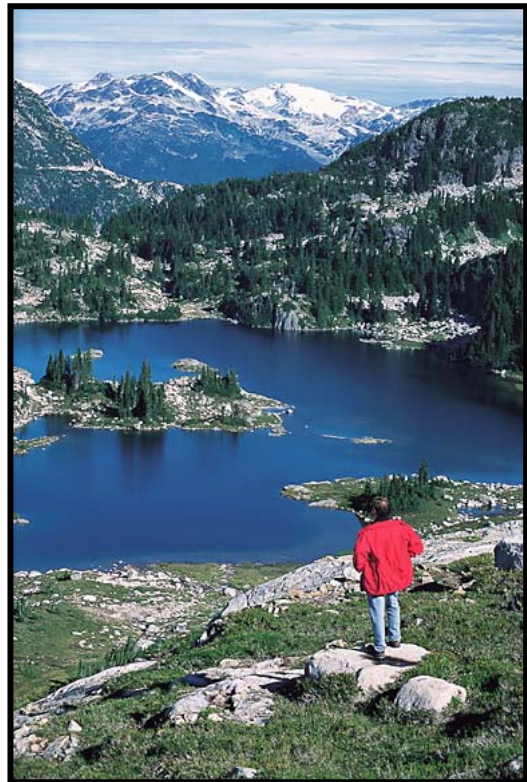
Table 4.1 Elements of the Risk Management Process

Prevention	Preparedness	Operations	Recovery
The identification of risks specific to the business environment and the implementation of preventative strategies.	The planning and preparation for, and the rehearsal of, processes to be undertaken when an emergency occurs.	The implementation of planned operational procedures to ensure the ongoing safety of the participants, staff and business.	The implementation of recovery processes that facilitate the return to routine.
PLANNING Hazard identification (business & field hazards) Risk analysis (frequency/severity) Impact analysis (vulnerability) Strategies for prevention & mitigation Health and safety plan for workers Insurance plan Program/business organisational structure Program review plan	**PLANNING** Trip plans Emergency response plans Instructor protocols Evacuation methods protocols Contingency plans Death of a participant plans Incident report forms Staff training materials	**PLANNING** Safety talks Instructional curriculum Emergency response procedures & protocols	**PLANNING** Benefit strategies Defence strategy Plans & processes
POLICIES Occupational safety & health Business regulations & licensing Waivers & indemnifications Worker hiring policies Worker qualification policies Transportation policies Safety talk format & policies	**POLICIES** Staff training Simulated scenario practice First aid training Equipment use training	**POLICIES** Trip-specific policies Guide – client ratios Communication system Operating standards for activities	**POLICIES** Record keeping Public relations Media relations Industry relations Family relations Insurer relations Attorney relations Incident investigation

(Table 4.1, continued)

Prevention	Preparedness	Operations	Recovery
ACTIONS AND PROCEDURES	**ACTIONS AND PROCEDURES**	**ACTIONS AND PROCEDURES**	**ACTIONS AND PROCEDURES**
Developing strategies for prevention & mitigation	Providing SAR & emergency response training	Implementing staff controls & supervision	Coordinating recovery
Creating a culture of safe practice	Defining emergency roles	Implementing client controls & supervision	Gathering accident information
Obtaining land access permits	Making action plans	Placing response equipment caches	Debriefing
Providing for facility & equipment security	Identifying & allocating appropriate resources	Conducting progressive instruction	Keeping records
Purchasing proper equipment	Identifying emergency management team	Responding to the emergency	Dealing with erroneous information
Complying with building codes	Separating emergency response from normal operations	Liaising with emergency services	Implementing marketing & public relations
Handling food safely	Identifying counselling personnel	Liaising with occupational health & safety officers	Monitoring reactions
Maintaining & repairing equipment, & keeping a log of equipment use	Developing resource contact list		Monitoring business impacts
Developing safety procedures for specific hazards	Liaising with emergency services		Providing counselling
Carrying out preventative activities such as inspecting equipment	Developing pre-planned response with attorney		Planning memorials
Matching clients with trips			
Defining client selection process			
Requesting medical & fitness testing			
Budgeting adequately			
Tracking and analyzing near misses			
Tracking and analyzing injury statistics			
Preparing emergency and first aid kits			
Conducting pre-trip safety orientation			♦

4.16 HEALTH AND SAFETY CHECKLIST[xvi]

The following checklist can be used to improve the health and safety of your students and workers.

1. Do you have a written health and safety policy for your program and have your instructors and students read it?

2. Do you have written procedures that provide the rules for safe work procedures in your program and have your instructors read it?

3. Are your instructors adequately trained to follow the safe work practices that have been developed?

4. Do you provide adequate supervision to ensure that your instructors follow the directions provided?

5. Do you have an effective method for identifying hazards?

6. Do you have effective methods for eliminating, controlling, or minimizing hazards?

7. Do you undertake regular inspections of the activities and workplace and are these inspections documented? Do you inspect the field activities of your program?

8. Are your instructors exposed to hazardous materials and are these materials handled, used, and stored properly?

9. Are written emergency procedures in place and are your instructors familiar with these procedures?

10. Are your instructors adequately trained in first aid? Do you know what level of first aid training WCB requires your instructors to have?

11. Do you have adequate first aid supplies at the site of your work activities? Do your instructors know where to find them and how to use them?

12. Do you have a procedure in place to investigate accidents? Do you have the records?

13. Do you gather and review accident statistics in your program to see if trends are developing?

14. Do you gather accurate information on near misses? Do your operational policies evolve based on this information?

15. Do you report all serious incidents to the WCB?

16. Are you knowledgeable about your institution's occupational health and safety program?

17. Do you know who the members of your institution's joint health and safety committee are?

18. Do you have a process for developing occupational health and safety policies in consultation with your institution's health and safety office and joint health and safety committee?

19. Do you keep written records and statistics on the frequency and severity of accidents, hazards, training, first aid treatment, equipment logs, and maintenance records?

20. Have you considered and developed policies and procedures for the health and safety program elements to control hazards that are unusual (i.e., pose a high risk of serious injury or death) or cause a significant portion of injuries?

4.17 WORKER ORIENTATION CHECKLIST

Use this checklist when training new workers on health and safety in your workplace.

Worker's name: _____

Date worker was hired: _____

Supervisor's name: _____

Date of orientation: _____

Orientation Topics Covered?	Yes	No
Health and safety responsibilities	❑	❑
Health and safety rules	❑	❑
First aid qualifications required	❑	❑
How to get first aid	❑	❑
How to report unsafe conditions	❑	❑
Right to refuse unsafe work	❑	❑
Use of personal protective equipment	❑	❑
Isolated worker communication policies and procedures	❑	❑
Pre-trip planning requirements	❑	❑
Post-trip and incident reporting requirements	❑	❑
Emergency response protocols	❑	❑
Instructional progression requirements	❑	❑
Record keeping (trip plans, incident reports, first aid treatment…)	❑	❑
Written work procedures (list them in an attachment)	❑	❑
Other topics covered (list them in an attachment)	❑	❑

NOTE: Copy and file this form in staff personnel folders

_____   _____
Signature of Supervisor   Signature of Worker

_____   _____
Date   Date
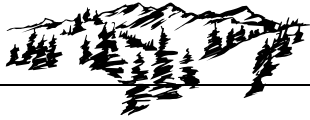
4.18 WCB CONTACT INFORMATION

The WCB provides a number of services and materials to help you meet your health and safety requirements. More information is contained on the WCB website at www.worksafebc.com

Questions on claims and compensation?	604-276-3312
	Toll Free 888-967-5377
Questions on workplace health and safety requirements?	604-276-3100
	Toll Free 888-621-7233
Questions on registration or assessments?	604-244-6181
	Toll Free 888-922-2768
To report an accident to the WCB	604-276-3100
	Toll Free 888-621-7233
To report an accident after hours or on weekends	604-273-7711
The Employers' Advisors office[xvii]	Toll Free 800-925-2233
	www.labour.gov.bc.ca/eao

4.19 Search and Rescue Contact Information

Local volunteer Search and Rescue groups respond to ground and inland water incidents when requested by local police authorities, the British Columbia Ambulance Service or the Provincial Coroner's Office. The Provincial Emergency Program provides volunteers with training, coordination, WCB and liability coverage, and reimbursement for some expenses. More information is available on the PEP Web site at http://www.pep.bc.ca/.

To report an incident requiring search and rescue	911
	Or local police emergency number
General questions on search and rescue	250-952-4913
	Toll Free 800-663-3456
Contact numbers for local SAR groups for information	250-952-4913
	Toll free 800-663-3456

ENDNOTES

Section 1

i   Dickson, Tracey and Tugwell, Margot (eds.), 2000, pp. 12-13.

Section 2

ii   Based on material found in "Managing School Emergencies," Department of Education, Victoria, Australia, 1997. pp. 5–8 and pp. 17–20.

iii   Association of Canadian Mountain Guides.

iv   See also the WCB website at www.worksafe.bc.com.

v   See s. 118 (1) (2) (3) of the *WCB Act.*

vi   As demonstrated in Koschel v. Calgary Board of Education.

vii   Based upon information contained in "Managing School Emergencies, Department of Education, Victoria, Australia 1997.

viii   Based on material in Alexander & Alexander Reed Stenhouse Limited, 1995. *"Ministry of Education, Skills and Training University, College and Institute Protection Program Reference Manual."* Section V p.1.

ix   For more information see also *Workers Compensation Act* – Division 3, General Duties of Employers, Workers, and Others.

Section 4

x   From the Adventure Programs Department, The University College of the Cariboo.

xi   From the Adventure Programs Department, The University College of the Cariboo.

xii   From the Adventure Programs Department, The University College of the Cariboo.

xiii   This section is taken from Cloutier, Ross, 2000, "*Legal Liability and Risk Management in Adventure Tourism."*

xiv   From Lakeland College. *"Death of a Student."* Lakeland College Policy Manual.

xv   From material found in (Williamson, John & Gass, Michael, 1993, pp IV-V and pp. 5-22).

xvi   Based upon information found in the Workers' Compensation Board publication "Small Business Guide to Health and Safety."

xvii The Employers' Advisors office provides assistance and advice to employers on WCB assessments, decisions, appeals, and policies. Advisors also conduct educational seminars for employers.

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http://www.worksafebc.com/employer/clearance/default.asp
WCB – Registration requirements
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