

LEGAL RESPONSIBILITIES OF THE LEADER



PAUL POOLE
— MOUNTAINEERING —



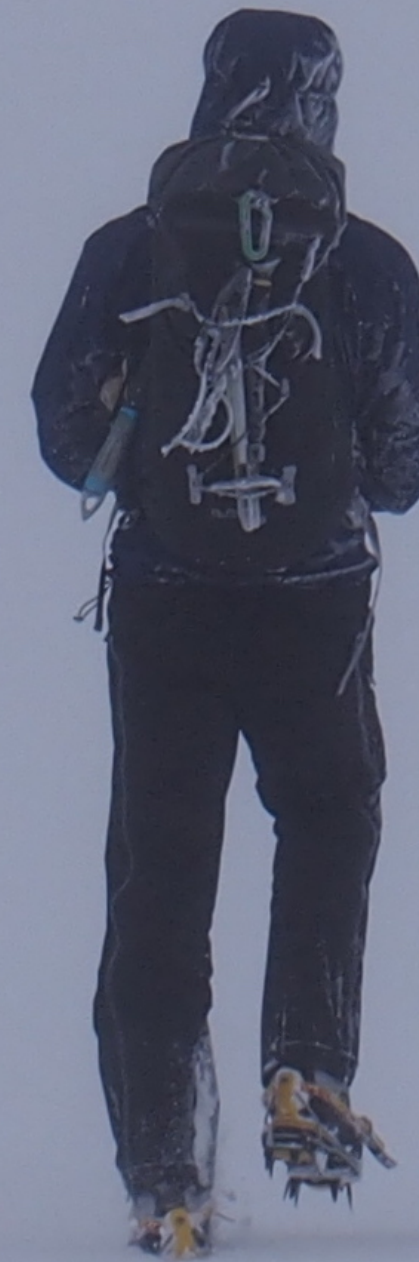
MANAGEMENT OF RISK

- History
- The Law
- Duty of Care
- Planning
- Risk Assessment
- Insurance



HISTORY

- 1971 Cairngorm Plateau
- Five teenagers and 1 instructor died
- 1 teenager and 1 instructor survived
- Consent form issued to parents did not say that winter mountaineering was involved
- Only one of the parents had been told the outing was going to be to the Cairngorms
- Lots of indicators prior to accident
- Mountain Leadership Certificate became required for educational expeditions



A yellow rescue helicopter is hovering in the sky, its rotors blurred from motion. Below it, a mountain path winds through a grassy, hilly landscape. A rescue team, including a person in an orange jacket and helmet, is positioned on the path. In the background, more mountains are visible under a cloudy sky.

THE LAW

- Responsibilities extend to the parent or guardian, manager, LEA & the public
- Act in loco parentis - greater duty of care to children (u18) than adults
- Work to accepted norm
- Demonstrate a reasonable level of care

PRIOR TO THE DAY

- Qualification and currency
- Insurance
- 1st aid
- Disclosure and Barring Service
- Familiarity of route / environment
- Operating procedures
- Risk assessment



A topographic map of Moel Hebog, showing contour lines, peaks, and various landmarks. The map is overlaid with a semi-transparent grey box containing a list of items to check on the day.

THINGS TO CHECK ON THE DAY

- Medicals
- Clear Outcome / objectives
- Consent against activity
- Their Experience / familiarity / currency
- Weather
- Expectations
- Location - options
- Equipment / logistics

RISK ASSESSMENT

ENVIRONMENT

- **Terrain**
 - Steep
 - Rocky
 - Loose
 - Grass
 - Wet / dry
- **Weather**
 - Rain
 - Sun
 - Snow
 - Temperature
 - Wind
 - Thunder & lightening
 - Visibility
- Day light / dusk / night time
- Rivers

HUMAN

- **Fitness**
 - Personal Fitness
 - Preparation
 - Illness
- **Food**
 - Tiredness
 - Decision making
 - Group Awareness
- Sleep
- Equipment
- Navigation
 - Route knowledge / choice
 - Mistake
- Group inclusion
- Driving

CERTIFICATE OF INSURANCE

EFFECTED THROUGH
LOCKTON COMPANIES LLP

Accident, Health, Sports & Contingency
Of

(Authorised and Regulated by the Financial Conduct Authority)
The St Botolph Building, 138 Houndsditch, London EC3A 7AG

CERTIFY that in accordance with the authorisation granted under the Insurance Act 2015, the Underwriters as attached, whose definitive names are set out in the Schedule, can be ascertained by reference to the premium schedule and in consideration of the premium schedule and in consideration of the terms and conditions contained in the policy, agree to insure in the manner set out in the policy.

This document is to notify You that the following insurance has been effected with Certain Underwriters at Lloyd's under a Master Policy issued to the Master Policyholder. The Master Policyholder and Scheme Administrator is BMC British Mountaineering Council (Your Scheme Administrator) 177 - 179 Burton Road, West Didsbury, Manchester M20 2LH. Tel: +44 (0)161 445 6111 E-mail: insure@thebmc.co.uk

SIGNIFICANT FEATURES & BENEFITS

The following is only a summary of the main cover limits. You should read the Evidence of Cover for the full terms and conditions.

SECTION	COVER PER PERSON (UK)	EXCESS PER PERSON
1. Personal Accident	£5,000	Nil
2. Emergency Medical Expenses	£100,000	£95**
3. Hospital Inconvenience Benefit	£1,000 (£50 per 24 hours)	Nil
4. Personal Accident		
- Death	£5,000	Nil
- Loss of Limb(s)/Sight	£10,000	Nil
- Permanent Total Disability	£10,000	Nil
5. Baggage Delay	£2,500	£95
- Single article, pair or set limit	£500	
- Other limit	£500	
6. Personal Money & Travel Documents	£750	£95
- Cash limit	£2,000	
7. Personal Liability	£2,000,000	£95 (property damage)
8. Journey Disruption incl. Airspace Closure	£2,500	£95***
9. Delayed Departure (after 12 hours)	£120 (£30 each 12 hour delay)	Nil
- Trip Cancellation (after 12 hours delay)	£5,000	£95
10. Missed Departure/Missed Connection	£1,000	£95***
11. Travel Risks		
- Hijack/Kidnap	£2,500 (£50 per 24 hours)	Nil
- Mugging	£250	Nil
- Catastrophe	£1,000	£95
12. Legal Expenses	£500	£95
13. Loss of Sports Activity Pack	£250	Nil
14. Additional Pet Care Fees	£200 (£10 per 24 hours)	Nil

Extension - British Forces Posted Overseas & Embassy Personnel - only applies if You have arranged cover and this is shown on Your Schedule.

Extension - Winter Sports - only applies if Your Schedule shows that You have bought optional activity cover 'Alpine & Ski' or 'High Altitude & Remote Areas'.

Winter Sports Extension cover		
Ski Equipment loss/damage	£500	£95
Single article, pair or set limit	£350	
Hired Ski Equipment lost / damaged	£350	
Delayed Ski Equipment (after 12 hours)	£350	Nil
Loss of Ski Pack	£250	Nil
Piste Closure (not UK)	£300 (£30 per 24 hours)	Nil

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What to do in the Event of a Medical Emergency
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IMPORTANT INFORMATION

This insurance is for residents of the Republic of Ireland only.

This document contains Evidence of Cover for the Person and is the basis on which the Schedule which must be attached to the Master Policy.

This evidence is furnished to You as part of the Master Policy.

The original Master Policy is held by the Policyholder and a copy of the Master Policy is provided to You. The names of and proportions of the Master Policyholders are set out in this document.

It is very important that You read the Master Policy to ensure You understand the terms and conditions. You have any queries, please contact Your broker.

It is Your responsibility to ensure that You are covered by an appropriate organisation (public or private) for any similar injury or insurance direct costs. Assistance is available from the Underwriters.

Underwriters
Antarctica
Antarctica
Antarctica
Antarctica

AS A LEADER.....

- Conduct ongoing risk assessments
- Constantly review client ability
- Show good practice and stay within implemented centre guidelines
- Operate safely taking 'normal' decisions
- Ensure clients are informed of risks posed
- Ensure you are well insured
- Common Sense...





“If you fail to prepare,
you’re prepared to fail”

