

Adventure Activities Licensing Authority Board Meeting
7th October 2014

Adventure Activities Licensing Service Operations Report
March 2014 – September 2014

1. Number of Licence Holders

At 30th September 2014 this stood at 1240

Previous figures at the end of:	August 2014	1242
	July 2014	1231
	June 2014	1235
	May 2014	1235
	April 2014	1224
	March 2014	1238

2. Relevant Action

During the reporting period, six providers were issued with a notice that we were considering refusing their licence renewal application, one that we were considering refusing a new application and two that we were considering revoking their licence. Of these, seven providers provided the required information and their licences were renewed or continued. One provider withdrew their renewal application. One provider did not provide the required information and their licence was revoked.

The previous report identified two cases that were still in progress. In both cases the providers provided the required information and their licences were renewed.

See Appendix 1 for more detail.

3. Recorded Accidents and Incidents

3.1 Summary.

During the reporting period, 14 accidents/incidents were entered on the Licensing Service's database, 11 of which occurred during the reporting period and 3 prior to the reporting period.

Of the 14 cases, 5 involved fatalities: a 14 year old Scout from Scotland, a 12 year old Italian climber and 5 UK adults (3 in one incident). The Scout died during an adventure holiday in the Italian Alps organised by a licensed provider. He was part of a group jumping into water under instruction. He apparently lost consciousness as he entered the water and, although rescued from the water immediately and given CPR, he could not be resuscitated. Media reports stated

that the post mortem found that he died from drowning after inhaling water.

In July 2013 a 12 year old Italian climber died following a climbing accident in France. Investigations found that a piece of his climbing equipment had been accidentally reconfigured (been turned inside out), causing a non-load bearing element to become part of the load bearing chain. This was almost identical to an accident on a zip wire at a licensed centre in the UK that happened in the same month. John Cliffe assisted the investigating EHO and identified the cause. This has been disseminated to the sector as an Info Log entry (see below).

Of the 2 adult deaths during the reporting period one was a 70 year old former head warden of Snowdonia National Park who died after falling onto a ledge whilst climbing with a client. The other was a 47 year old kayaker (until recently a serving senior army officer) who died after his kayak overturned on the River Tees whilst with an instructor. AALS assistance has been requested in this latter case by the local authority in their investigation.

An incident on the River Tyne resulted in the death of 3 adults on sit-on-top kayaks. They got into difficulties in high water and it was thought that they were swept over a weir before they could prevent it. An inquest recorded a verdict of accidental death.

A further 7 accidents/incidents which have been reported previously were updated as more information became known. In 6 cases the update related to inquest verdicts or legal action. 1 update related to ongoing investigation.

3.2 We have uploaded Info Log entries on:

- a) A particular and unusual mode of failure of 'cows tails' (strops) used on ropes courses (see above).
- b) The unusual (unprecedented?) failure of a karabiner used on a zip wire.

Marcus Bailie
Head of Inspection
29.09.14

Appendix 1 – Relevant Action

1. Action Taken: Minded to Refuse licence; Rescinded

Following receipt of a renewal application, an inspection was carried out. The inspector identified failures in the following areas:

- failure to establish operating procedures for the activities provided which identify minimum levels of instructor competence and the ratio of such instructors to participants as a minimum;
- failure to ensure that the hazards associated with the activities they deliver have been assessed and that clear and practically based guidance for those leading sessions is provided;
- failure to hold evidence of staff competence, induction and monitoring;
- failure to hold evidence of checks on equipment.

As a result, a Notice that we were considering refusing their renewal application was sent to the provider. The provider subsequently provided information that satisfied our concerns and their licence was renewed.

2. Action Taken: Minded to Refuse licence; Rescinded

Following receipt of a renewal application, an inspection was carried out. The inspector identified that the level of monitoring continued to fall short of the requirements of previous inspections.

As a result, a Notice that we were considering refusing their renewal application was sent to the provider. The provider subsequently provided information that satisfied our concerns and their licence was renewed.

3. Action Taken: Minded to Refuse licence; Rescinded

Following receipt of a renewal application, an inspection was carried out. The inspector found that the requirement in the previous report to devise a simple method of recording the frequency and outcome of occasions when staff were watched delivering aspects of the activities provided had not been addressed.

As a result, a Notice that we were considering refusing their renewal application was sent to the provider. The provider subsequently provided information that satisfied our concerns and their licence was renewed.

4. Action Taken: Minded to Refuse licence; Rescinded

Following receipt of a licence application, an inspection was carried out. The inspector identified failures in the following areas:

- Failure to hold evidence of the competence of those who will be deployed to deliver activities;
- Failure to establish the minimum level of instructor competence required of those leading the various walking, mountaineering and rock climbing activities to be provided;
- Failure to prepare written risk assessments for the activities to be delivered.

A report was sent to the provider stating that the decision on the licence application would be deferred until the required information had been provided. No information was provided and so a Notice that we were considering refusing their application was sent to the provider.

The provider provided the required information and a licence was issued.

5. Action Taken: Minded to Refuse licence; Rescinded

Following receipt of a renewal application, an inspection was carried out. The inspector identified failures in the following areas:

- Failure to ensure that staff competency and qualification files are kept up to date;
- No records had been made of monitoring sessions and no formal monitoring structure had been adopted;
- No Technical Advisor was currently in place for any of the activities noted on the activity matrix.

As a result, a Notice that we were considering refusing their renewal application was sent to the provider. The provider subsequently provided information that satisfied our concerns and their licence was renewed.

6. Action Taken: Minded to Revoke licence; Rescinded

The inspector carried out an unannounced spot check of the provider and found a requirement relating to logging and maintaining a record of staff competencies made in a previous report had not been addressed. The provider was therefore given a deadline to address the issue.

No information was received and a Notice that we were considering revoking their licence was sent to the provider. The provider subsequently provided information that satisfied our concerns and their licence continued.

7. Action Taken: Minded to Refuse licence; Rescinded

Following receipt of a renewal application, an inspection was carried out. The inspector identified that full records of staff competencies were either not being kept or were not available for the partners and freelance instructors (this issue was also identified in the previous renewal inspection).

As a result a Notice that we were considering refusing their renewal application was sent to the provider. The provider subsequently provided information that satisfied our concerns and their licence was renewed.

8. Action Taken: Minded to Refuse licence; Withdrawn

Following receipt of a renewal application, an inspection was carried out. The inspector identified failures in the following areas:

- Failure to ensure that all equipment is fit for purpose before use;
- Failure to comply with RYA guidance relating to safety equipment;
- Failure to ensure that all awards are current and that evidence is on file for any instructional staff used.

As a result a Notice that we were considering refusing their renewal application was sent to the provider. The provider subsequently decided to withdraw the renewal application.

9. Action Taken: Minded to Revoke licence; Revoked

At a renewal inspection, the inspector identified the following failure by the provider:

Failure to record 'statements of competence' for any BCU/UKCC Level One holders who are to be deployed to run sessions without direct supervision. This requirement was outstanding.

The provider was advised in the subsequent report that failure to address the issue within 28 days may result in a revocation of their licence.

The inspector carried out an inspection and found that the issue had not been addressed. A Notice that we were considering revoking their licence was sent to the provider.

The inspector did a further visit and found that the issue had still not been addressed. A Notice of Revocation was therefore sent to the provider.

In Progress on Report to Meeting of 4th March 2014

10. Action Taken: Minded to Refuse licence; Rescinded

Following receipt of a renewal application, an inspection was carried out. The inspector identified failures in the following areas:

- Failure to set out the minimum levels of competence required of leaders to operate in the various environments in which their expeditions are undertaken (sheltered water, moderate white water, open water, lowland, moorland and wild country for example);
- Failure to set out the ratios of appropriately competent leaders to groups within the context of training, practice and qualifying events;
- Failure to ensure that leaders are not deployed to operate with groups unless the school holds appropriate evidence of their competence to do so;
- Failure to undertake and record checks on equipment;
- Failure to ensure that it has access to and is effectively advised by appropriately competent technical advisors;
- Failure to establish clearly the basis upon which large events will be overseen and to then ensure this is reflected in the actual practical management of their activities.

As a result, a Notice that we were considering refusing their renewal application was sent to the provider.

Following e-mail correspondence with the inspector and a further visit by the inspector, the provider subsequently provided information that satisfied our concerns and their licence was renewed.

11. Action Taken: Minded to Refuse licence; Rescinded

Following receipt of a renewal application, an inspection was carried out. The inspector identified failures in the following areas:

- Failures with the risk assessment process.
- Failures with the understanding of an employer's responsibilities.

As a result a Notice that we were considering refusing their renewal application was sent to the provider. The provider subsequently provided information that satisfied our concerns and their licence was renewed.