

Adventure Activities Licensing Authority Board Meeting
27th March 2012

Adventure Activities Licensing Service Head of Inspection report
September 2011 – February 2012

1. Number of Licence Holders

This stands at 1219 as at 29th February 2012, up 3 since last month but down 26 since April 2011. Interesting, whilst the number of providers not renewing is increasing (typically medium sized or medium large, well established LA centres) the number of new applicants is also increasing. These new providers are typically new micro-businesses. There is evidence that at least some of these are fragments from the larger mature provisions which have closed, whilst others seem to be offering activities to young people for the first time.

In both case we are conscious that whilst the new managers may be experienced instructors in their own right, they may not be experienced managers in this sector. Much therefore will depend on the experience of the instructors they employ and deploy, and the amount that these managers can get out of their offices to monitor whether what is actually happening in the field corresponds to their safety management documentation..

We are advising new providers on both of these issues, and would hope to shift the balance of spot checks towards these providers before the end of licensing in England.

2. Relevant Action

During the reporting period, one provider was issued with a notice that we were considering refusing their licence renewal application and one that we were considering revoking their licence.

The provider with the renewal application addressed our concerns satisfactorily and their licence was renewed.

The other provider did not satisfy us that our concerns had been addressed and their licence was revoked. They have since made a further application for a licence and the inspector is due to visit.

See Appendix 1 for more detail.

3. Recorded Accidents and Incidents

3.1 Summary.

During the reporting period 23 accidents/incidents were entered on the Licensing Service's database. 18 of these occurred during the reporting period and 5 were entered retrospectively as information was received.

Of the 18 cases which occurred during the reporting period, 12 involved fatalities - 1 young person under the age of 18 years and 11 adults. One adult is missing presumed dead.

Of the 5 cases which occurred prior to the reporting period and entered onto the database retrospectively, 1 involved fatalities – a total of 7 students aged between 16 & 18 years died in an avalanche in Canada in 2003.

The 1 young person who died during the reporting period fell from height whilst playing in a local quarry with his peer group.

Of the 11 adults who died during the reporting period, 5 occurred during canoeing/kayaking activities, 4 involved falls from height, 1 was due to natural causes and 1 to a road traffic accident. The road traffic accident occurred abroad. All other incidents involving fatalities during the reporting period occurred in the UK.

4 of the adults who died during the reporting period had links with licensing/licensed centres and 1 adult died at a licensed centre (during a non-licensable activity).

A further 15 accidents/incidents which have been reported previously were updated as more information became known. In 13 cases the update related to inquest verdicts or legal action. 2 updates recorded that awards had been given to people involved in the rescue attempts.

Details of all 38 cases are available on request.

3.2 Significant amongst these:

September 2011 The head of a licensed centre died whilst climbing (in her own time.)

September 2011. A freelance instructor at a licensed centre died when the two person canoe he was in with a 14 year old pupil capsized during an activity session. Currently under investigation so no details available. HSE are satisfied that canoeing should be allowed to continue at the centre.

September 2011: A 21 year old instructor at a commercial (but not licensed) provider was seriously injured on a zip wire. A spokesman for the provider said that the instructor had been demonstrating the zip wire during a normal activity session. He had not fallen off the zip wire but had been injured at the bottom. Under investigation so no details available.

January 2012: HSE Inverness contacted AALS to request assistance in an investigation of a fatality on An Groban, a 383m 'mini mountain' in out of scope terrain in Western Scotland. A group were descending from the summit when a 19 year old male fell.

(March 2012. We now have first reports of a multiple fatality in a ski-coach returning from Switzerland to Belgium. At the time of writing there were 28 Belgium nationals confirmed dead, including 22 children.)

3.3. Lessons Learned article.

The current edition of *Horizons* carries a Lessons Learned article about the death of 6 students and a teacher in New Zealand in 2008. The tragedy occurred when water in the gorge they were in rose suddenly and significantly.

3.4 Australian Outdoor Education Accident Database.

Some years ago I met with, and subsequently liaised with, Dr Andrew Brookes of LaTrobe University, Australia, on his intention to develop an accident database similar to our own. It covers the years 1960 – 2002 and was finally published in November 2011. Given the considerable difference in terrain the rate, range and distribution of accidents seem remarkably similar to our own. To my knowledge these are the only sets of publicly available statistics world wide. Although an international database was proposed in 2002, it seems to have made little progress.

3.5 Lessons being actively disseminated to the sector include:

- The importance of maintaining 'corporate memory' in trying to prevent the same provider having, essentially, the same accident with subsequent staff teams.
- The importance of managers 'walking the floor', particularly inexperienced managers, and with inexperienced instructors.
- Attention to detail, particularly with repetitive but nevertheless safety critical issues.

4. High Reliability Organisations.

Our investigations of human Error Accidents in Adventure Activities subsequently led us to a literature review by the Health and Safety Laboratory (HSL) of High Reliability Organisations (HROs). This report seems to be the result of one of the recommendations from the Bunsfield report.

There appear to be many lessons here for the adventure activity sector. This seems consistent with:

- The comparatively low level of incidents and accidents in a sector which would appear, in theory, to have a high potential for accidents.
- The 'specialist sector' nature of adventure activities, with a range of specialist sector regulatory regimes.
- Many of the individual approaches to specific safety issues in the HROs examined seem to have parallels in the adventure activity sector.

We will be exploring these and similar issues, and their relevance to adventure activities.

Marcus Bailie
Head of Inspection

Appendix 1

1. Action Taken: Minded to Refuse licence, Rescinded

Following receipt of a renewal application for a licence which expired on 29th September 2011, the centre was inspected on 25th August 2011. The inspector identified that, in spite of previous warnings and apparently unsuccessful remedial work by external consultants, the standard of peer-belaying remained unsatisfactory.

As a result a Notice that we were considering refusing their renewal application was sent to the provider on 9th September 2011. Information was subsequently received from the provider which satisfied the requirements made and their licence was renewed.

2. Action Taken: Minded to Revoke licence, Revoked

This provider was previously issued with a Notice in April 2011 that we were considering revoking their licence on the basis of the following identified failures:

- Failure to maintain a robust process to ensure that those who carry out the training of their tutors are subject to regular monitoring and receive ongoing training and mentoring in their management of training and assessments by a technical advisor.
- Failure to validate the documented risk assessments and Standard Operating Procedures.

The inspector had a further meeting with representatives of the provider on 10th May 2011 and was satisfied that remedial action was on track. Their licence therefore continued and was also renewed as from 6th June 2011.

On the 7th June 2011, two inspectors carried out a further unscheduled visit to the provider with a further inspection carried out by an inspector on 21st September 2011 to monitor progress. As a result of the inspector's findings on the latter visit, a Notice was sent to the provider on 3rd October 2011 that we were again considering revoking their licence. They were advised that, in order for the decision to be re-considered we would need to be satisfied that they had appointed staff to train and monitor junior instructors, and technical advisors who can assess them.

The provider did not satisfy the Head of Inspection that they had taken the required action and their licence was therefore revoked as from 8th November 2011.

On 22nd February 2012 a new licence application was received and is currently being processed. The inspector is due to carry out an inspection.