

## THE ACTIVITY FORMS.

### WE GET QUESTIONS ABOUT THIS FORM.

Most questions relate to the need for lodging the list of participants two weeks before the activity. It is designed to insulate leaders from unnecessary legal action.

As you are aware this has been part of the form for years, but the old form didn't accurately spell out which contact details were needed. Suddenly in 21<sup>st</sup> century it has all taken on a new dimension. We have police asking Groups for copies of who attended this or that activity for presentation to court, insurance companies and lawyers asking for documentary evidence that someone was where they said they were, and that the correct procedures were followed.

Ensure that both you and your youth members are in fact covered by insurance and not in fear of lawyers by always lodging an 'activity form' complete with a participants list.

These requirements are to protect youth members and leaders who have completed the correct procedures, which today are even more important than they were ten years ago.

*We suggest that for simplicity and accuracy you have a supply of pre-printed lists of all member of the section together with their contact details. It is then a simple matter of taking a few seconds and crossing out the names of those not going.*

*Simple... easy... the leader pins the list to the activity forms that are given to the Home Leader, and the Regional Office and has to just update by phone in the days leading up to the Activity.*

*If there is a last minute change the home leader is told (a phone call from the hall or departure point) and he puts a tick, beside their name on their copy, showing they are now attending.*

### WE NEED TO KNOW HOW MANY, AND WHO, IS IN A PARTY IN CASE OF AN EMERGENCY, OR EVEN TO MEET A LEGAL REQUEST.

**First question** in an emergency, is always 'how many'. If you can't put all the names down two weeks out (*we appreciate that is impossible as there are always changes and addition*). then a rough idea of numbers is important (*even if you put an estimate down in figures would be a help.*)

**Second question** in an emergency, the names and contact details are needed so parents can be quickly alerted and/or kept informed. We would go straight to the '**Home Leader**' for that information. True it is on the membership computer list but valuable time can be wasted in finding someone with access and a password.

**Third question** is why put them down in the first place. Because it gives an idea of how many are going and by the leader filling in those s/he knows it saves a lot of writing, avoids mistakes and everyone has the same information as the home leader if, as usual, it's sent over the phone at the last minute.

**Fourth question** who do we send last minute updates to? **Your Home Leader** at least and, if time, to the Regional Office or LAC. *Parents and others MUST be made aware of any change in the '**Home Leader**'*

**Fifth Question.** When am I required to put in Activity Form Part II ? Section I, the Parents Advice, is required for all activities but Part II and III are covered specifically in the Information & Organisation handbook (pages 4 to 8) Activity Notification Procedures.

**Note.** Part 3 (3). **Forms and procedures.** Section 3.1.3 states: *Activity Notification forms must be used for all outdoor overnight activities and all air/alpine/rock-related/water or other potentially dangerous activities. They may also be used for other types of activities at the discretion of the Activity Leader or Regional Commissioner (Operations)*

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### OTHER QUESTIONS WE GET ARE:

**Is there any other thing that is VERY SPECIAL we should be aware of?**

**YES.** We have included a statement on page 1 which says "If you have any questions please contact ..... on .....".

The reason this has been added is the need to adequately inform parents so that they can give an 'Informed Consent' this is important as it is offering them a contact number to ask any questions.

If they are worried they can ring and find out just how high the abseil cliffs are, or if you read a story to their son and tuck him in before he goes to sleep. It is essential you give them a contact.

### **WHY COMPLETE THEM AT ALL ?**

**Good question.** Simple answer. It increases your protection.

In our increasingly litigious world there are certain things the court has deemed need to be done. Most of these you are already aware of ( see LSG 5,17, and 27 ) but the Activities Form A1 has to be kept up to date to make it easier to meet these requirements so as to provide maximum protection for yourself, and youth members.

It ensures you stay within the protection of the Association and don't assume personal responsibility for any accidents etc. The Civil Liability Act 2002 ,makes it quite clear that you ARE PROTECTED by following policies and guidelines. *[Remember as long as you can show you have taken reasonable steps to follow policies and procedures you would be protected (as outlined in LSG 5) - an occasional form coming in late wouldn't count just as long as it was in.]*

#### **Civil Liability Act 2002**

Part 9 – Volunteers. ( extract, our highlighting)

#### **61 Protection of volunteers**

**A volunteer does not incur any personal civil liability in respect of any act or omission done or made by the volunteer in good faith when doing community work:**

**(a) organised by a community organisation, or**

**(b) as an office holder of a community organisation.**

62 Liability not excluded for criminal acts

*This Part does not confer protection from personal liability on a volunteer in respect of an act or omission of the volunteer if it is established (on the balance of probabilities) that at the time of the act or omission the volunteer was engaged in conduct that constitutes an offence.*

#### **63 Liability of intoxicated volunteer not excluded**

*The protection from personal liability conferred on a volunteer by this Part in connection with any community work does not apply if:*

*(a) the ability of the volunteer to exercise reasonable care and skill when doing the work was significantly impaired by reason of the volunteer being under the influence of alcohol or a drug voluntarily consumed (whether or not it was consumed for medication), and*

*(b) the volunteer failed to exercise reasonable care and skill when doing the work.*

#### **64 Liability of volunteer not excluded if acting outside scope of activities or contrary to instructions**

**This Part does not confer protection from personal liability on a volunteer in respect of an act or omission of a volunteer if the volunteer knew or ought reasonably to have known that he or she was acting:**

**(a) outside the scope of the activities authorised by the community organisation concerned,**

**or (b) contrary to instructions given by the community organisation**