



GUIDE TO EVENT LIABILITY

Managing an event

Each club is responsible for preparing a document to minimise risks associated with events, based upon the topics raised in this document, the club must be pragmatic in its approach and take into account the size of the event and the actual risks associated with the event. We do not anticipate that mitigating the risk factors will be extraordinarily arduous as long as the clubs are sensible and take reasonable precautions.

Whenever organising/inviting people or groups of people to an event or gathering for some purpose, the organiser (whether an individual or an organisation entity) has wide ranging responsibilities in addition to management of the venue, entertainment or proceedings.



Document drawn up by Eugene Botha.
President of the SAOF.
Developed for use by clubs and organisers as a guide only
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These will include the safety, health and rights of staff, volunteers, participants and the general public, as well as protection of property, and preservation of the environment. The organiser must also ensure that there is effective insurance cover, such as public liability insurance.

This guide offers an overview of many of the liability issues that should be considered when organising a public event.

***Please note**, though some events (both public and private) do not require any formal approvals it may be beneficial to seek advice about your event with relevant authorities.

Step 1 - Liability and Location

Understanding Liability?

It is important that the organiser of any event is adequately protected against the risk of legal action should something go wrong. The SAOF has taken out a public liability insurance with KEU Underwriting Managers under policy number K01831 10. This insurance covers only fully registered and paid up clubs for events on the SAOF Calendar. The insurance specifically covers events liability for all the insured's specifically noted activities taking place at the noted venues (various in the Republic of South Africa) during the period of the insurance and directly related to the hosting of various orienteering and rogaine events.

Where do you wish to hold your event?

The location determines who controls the venue/location for the purpose of hiring or approving use, and identifying the conditions of use at the proposed location.

Note: Placing a sign on public land constitutes making use of that land and is covered.

Eg:

- Schools
- Parks
- Gardens
- Forests

Step 2 - Managing Safety

What is Safety Risk Management?

This simply means considering what might not be safe or what might go wrong, and doing something about it. Everyone manages safety every day, whether crossing a road, or climbing a ladder, you look out for the dangers and do it safely.



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The only difference is that a public event will involve many activities that could be a safety risk. Managing them requires writing them down and recognizing safety issues that may be new to you. In other words, *any event should have a written list of potential health and safety risks*, to show that the organiser has met the legal obligation of recognizing and mitigating the hazards of the event.

Managing Safety

Managing safety includes ensuring the safety and health of event personnel, volunteers and visitors. Relying on insurance is not an option when addressing risks to safety, and loss of reputation cannot be insured. Negligence by an event organiser may arise both from what is done and from what is not done.

While managing safety risks is not new or unusual, managing a wide range of safety issues and coordinating with a team requires a methodical approach.

Managing Safety Obligations

Safety Management

It is important that an organisation or person with management or control of a public event be able to show they have exercised reasonable care in addressing their health and safety obligations.

This should include taking steps that are reasonable in the circumstances to ensure effective:

- Emergency response planning
- Documentation of safety management processes and activities.
- Hazard management
- Instruction, training and supervision of employees/volunteers/other personnel
- Communications
- Accreditation of officials

Hazard Management Procedures

You should contact the venue manager for a risk management template for the location, if such a document exists.

The Emergency Services Agency can provide advice on your Risk Management Plan once it has been developed.

Accreditation of Officials

Accreditation is an important tool for ensuring appropriate levels of access and security are maintained at your event. Accreditation also identifies to your event team, volunteers and staff authorised personnel



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Type of accreditation you decide to produce will depend on your budget, resources and numbers required.

Your accreditation may come in the form of;

- Photo accreditation (including a passport photo of the holder)
- Laminated cards (basic card indicating level of accreditation)
- Handing out security bibs to marshals or identifying officials in any way for the benefit of the competitors

To support your accreditation you will also need to ensure staff and volunteers are briefed in the conditions of each accreditation level and appropriate signage is in place to assist with access control.

Communication

Effective communication is vital to the success of your event. This includes during the planning process right through to implementation.

Prior to your event consider;

- Meetings with documented agendas and minutes
- Organisational structure and communication channels

At the event consider;

- Two way radios
- Loud Hailers
- Public address (PA) systems
- Mobile Phones
- Internet and wireless communications
- Meetings and briefings

Identify who has the expertise to handle various situations and ensure this is communicated and understood by the organising team and the public.

Incident Report Forms

It is good event management practice to develop an incident register and complete incident report forms for all incidents that occur at your event. Incident documentation should identify all reporting obligations and relevant contact details.

An incident is "any unplanned event that could have, or did cause, an injury or property damage". Regardless of the severity of the incident, it is appropriate to document the details of all incidents.



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Emergency Response Plan

An event emergency response plan provides details of how and who will be involved in the event of a major emergency at your event. The development of your emergency response plan should involve consultation with Emergency Services Agencies such as St John's Ambulance services. A short summary of such a plan should be easily available at the event, i.e. pinned to a notice board, and contain phone numbers for whom to contact in an emergency. E.g.

Dianne Silva
Events Manager
Divisional Officer-Youth
1st Bedfordview Combined
Cell +27 (0) 83 313 2154
Fax +27 (0) 86 691 6334
Email diannes@stjohnbfd.co.za

First Aid

Whenever you hold a public gathering, you may need to provide a level of first aid. The level and type of first aid will depend on the nature, size and type of event. The event venue may stipulate the level as a condition of hire. You may elect to appoint a first aid provider to provide first aid services for your event. In addition, you should consider ensuring that at least one person in the organising team, with a First Aid Certificate, is available to help at any time.

Lost Children

For a large event it is advisable to make arrangements for lost children. This could include setting up an area where lost children can be looked after and where carers can look for them. Arrangements for children and carers who become separated should be clearly communicated to event patrons.

All staff and volunteers working at the event should be aware of the procedures to be followed for lost children. The lost children's area should be staffed with appropriately qualified employees or volunteers.

Be wary of arranging a lost children area as the organiser can be held liable if there is an incident related to indecent assault. Ensure that you can trust the volunteer!

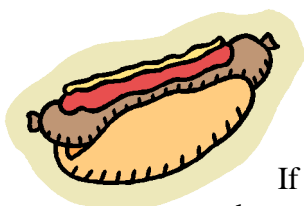


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Step 3 - Event Organisation Checklist

Following is a range of liability issues that may need consideration when organising an event.



Food and Alcohol

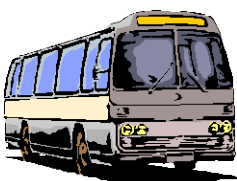
If a person gets serious food poisoning from the food sold at the event the organiser is liable and a claim may be lodged under the insurance, but the organiser should take steps to ensure that this is not necessary.

To sell alcohol you must obtain a Permit. The availability of alcohol at an event introduces a range of risk management issues that must be addressed by the organiser.



Common Hazards

It is not intended to be, nor is it feasible to provide, a comprehensive list as there will be hazards unique to individual events that the organiser will need to identify and address as appropriate. The organiser must consider all hazards and take reasonable steps to prevent harm.



Traffic and Transport Issues

There are a range of issues you should consider regarding the holding of an Event including:

- Traffic flow
- Road closures
- Public transport
- Parking

When organising a large event you should approach the local Metro Police department about any possible traffic and transport issues that could arise as a result of your event activity. This includes setting up and dismantling the event site.



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Managing Money and Crowds

A security guard service licensed for crowd control and with events experience can provide invaluable expertise to help manage potential risks at your event. It is highly recommended that you consider using security guards at your event if:

- large crowds are expected
- large sums of money will be processed at the event
- there will be alcohol at your event for sale

Environmental Impact

Will your event have an impact on the environment?

Consider the following:

- damage to environment and infrastructure
- excessive noise
- noxious gases
- high levels of dust
- garbage (eg. food and drink wrapping/containers)
- toilet facilities
- cooking oils and similar cooking waste



Providing Music and Entertainment

Some of the issues you will need to take into account if you are using performers, live music and/or pre-recorded music at your event are:

- Copyright
- Insurance
- Additional occupational health and safety issues
- Contracts



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Conclusion

The SAOF insurance cover is dependent on the club performing a risk assessment and taking all reasonable steps to ensure that the risk is mitigated. Organisers that fail to take the above into account will face the risk of not being covered and the organiser will become personally liable for any harm caused or suffered. Be a prudent organiser and comply as far as reasonably possible with this advisory document.



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