



THE VOICE OF ANGLING

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Members Fact Sheet: Fishery 003/09/v.1

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RISK MANAGEMENT AND HEALTH AND SAFETY

The administration of angling clubs is gradually becoming more complicated and society is making us all much more accountable for everything we do. There are an increasing number of changes to legislation etc. that affect the ways we participate in our sport and manage our activities as well as our liability to others. Health and Safety issues and the management of risks are just another example of this.

Angling organisations, just like any other sporting body, institution, business or employers have a duty of care to their members, customers, the general public and to their own officers, trustees or directors.

Whilst the very nature of the sport of angling carries with it some degree of risk, taking place as it does beside or on water and in the countryside, there is no reason why, wherever possible, steps should not be taken to minimise the risk of harm coming to those taking part.

This Information Paper sets out to advise our members on how such risks may be minimised and so help to protect those taking part in angling and also the officers and organisations providing angling facilities and managing fisheries. It is not intended as a definitive guide on the subject and is issued on an 'errors and omissions excepted' basis. Much is happening in the field of health and safety and risk management and the Angling Trust urges all member organisations to take steps to protect both themselves and their members.

RISK ASSESSMENT.

A risk assessment is nothing more than a careful examination of what could cause harm to people taking part in your activities or being on any property for which you may be responsible. Risk assessment gives an opportunity to consider what could and should be done to minimise such harm and in doing so to protect the officers, or owners responsible for the management of those facilities.

Health and safety law is administered by the Health and Safety Executive (HSE), a statutory body whose functions are to: -

- Inspect and enforce compliance with legal requirements regarding health and safety.
- Provide advice on health and safety matters
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The HSE are keen to adopt the approach of enabling activities such as angling to take place safely by the appropriate management of risks, rather than see the total elimination of risks, which might prevent the activity from taking place.

HSE have produced five steps to risk assessment, which are: -

- Step 1 Look for the hazards
- Step 2 Decide who might be harmed and how
- Step 3 Evaluate the risks and decide whether the existing precautions or procedures are adequate or whether more should be done

- Step 4 Record your findings
Step 5 Review your assessment and revise if necessary

Don't overcomplicate things. At most sites or venues offering angling activities the hazards may be few and simple. Checking them is common sense, but necessary, and if you are confident that you or your appropriate officers have enough technical knowledge to understand what is involved you can do the assessment yourselves and you do not have to be health and safety experts.

Alternatively an experienced person familiar with safety issues could be asked to help but irrespective of who carries out the assessment **you** are responsible for ensuring that it is adequately done. It is also most important to remember that risk assessments on fisheries for example should not just consider the implications for anglers but also for bailiffs, working parties and anyone else including the general public and even trespassers who may have access to the property. Above all Risk Assessment and its Management should not be considered threatening or negative. On the contrary it should provide an opportunity to improve facilities, ultimately for the benefit of all concerned.

RECOMMENDED ACTION.

It is probable that some member organisations have already put into place an action plan for their Risk Assessment and Management policy, however the majority will not have done so and it is the Angling Trust's recommendation that steps be taken urgently to act on this matter. The HSE five steps to risk assessment are a useful aid to how to proceed.

Perhaps this should start with the appointment of a Risk Management Officer (RMO), or that task may be allocated to an existing officer. That official should be responsible for ensuring that regular, perhaps quarterly where appropriate, inspections are carried out on the fisheries or other properties controlled. A risk management record sheet should be produced identifying the fishery/property, the potential hazards, any recommendations for eliminating or lessening the hazard and the date such remedial work is completed. Such reports should be carefully retained and a record of the completed action noted in the minutes book. Members should also keep a record book where all reported accidents; injuries and other appropriate incidents are noted and dated.

Individual members of an organisation and day or season permit holders should be warned of the potential risks connected with waterside and outdoor activities and advised to take due care. They should be encouraged to report any potential hazards to the RMO as soon as possible.

Membership cards and day tickets could contain a suitable disclaimer wording and in particular a warning to members not to fish or carry assembled rods within 30 metres of overhead electric power lines would be appropriate. Such notices however cannot be relied upon to replace adequate insurance cover.

It is therefore most important in these days of a society where claims of a litigious nature are becoming commonplace, for officers of angling clubs to ensure that their organisation maintains wide and comprehensive civil and public liability insurance cover with a substantial limit of indemnity. It is essential for officers and trustees of angling clubs to be covered for claims arising out of errors and omissions, failing to give advice etc. and members of the Angling Trust have access to liability cover far wider than that offered in the general insurance market.

Employers' liability insurance, where appropriate, is compulsory by law and advice should be sought as to whether or not a club should arrange this cover.

HAZARDS AND RISK.

Hazard means anything that could cause harm and **Risk** is the chance, high or low that someone may be harmed by the hazard, but however low that risk may be if there is likelihood that it may cause harm then it may be considered unacceptable and remedied if possible.

The following are examples of some of the risks to be considered: -

- Natural hazards such as unsafe trees, bank erosion, weirs etc.
- Danger to persons caused by livestock and claims for liability where livestock have been allowed to stray due to the negligence of member of an angling club tenant.
- Unsafe banks, stiles, gates, fences, barbed wire, fishing platforms and boats.
- Regular checks made to ensure hazards and risks have not been exacerbated due to vandalism.
- Danger from overhead electric power lines and the risk of injury or death caused by lightning particularly when using carbon rods and poles.
- Risk of contracting Weil's Disease
- Safe management of working parties, the use of tools especially power tools, electro fishing techniques and lack of experienced supervision.
- Physical assault by anti-angling fraternity.
- Hazards in clubrooms or fishing huts.
- Injury to others arising from the use of poles, back-casting when fly fishing etc.
- Failing to seek professional medical, legal or insurance advice.
- Officers, trustees, directors and the like failing to provide advice, giving bad advice, libel, slander, fraud, failing to provide current insurance cover and ultimately being held responsible for such negligence. It is most important that they are indemnified.

It is impossible to list here all of the possible hazards and the risks involved and not all of those detailed may be appropriate or necessary in some circumstances but as already mentioned, efforts to take due care and attention should not be considered to be negative if they ultimately prove to be of benefit to members and others.

RECORDS TO BE KEPT.

Overleaf is a simple example of a Risk Assessment Management or Record Sheet that may be of assistance. No doubt many members will wish to devise their own systems. Where there are a number of stiles or gates on a fishery it may be appropriate to discretely number them for reference and ease of reporting.

The Angling Trust would welcome views on any of the comments and suggestions made in this paper as such advice may ultimately be used to help all members in dealing with this seemingly complicated but very necessary matter. Where an angling club is not the freeholder of the property and simply has a lease or licence for a fishery it will be important to establish just who is responsible for both natural and other features before attempting to remedy the problem. However, whether or not a member club actually owns a hazard feature there is no doubt that it and its officers have a responsibility of care to its members and others.

More information can be found at: www.hse.gov.uk

NOTE:

Please be aware that when you renew your liability Insurance in future you may well be asked for a copy of your Risk Assessment Policy or records.

RISK ASSESSMENT RECORD SHEET

NAME OF CLUB.....

LOCATION / FISHERY..... **OFFICER**.....

LIST HAZARDS	CONFIRM OK – OR WORK REQUIRED	WORK COMPLETED / SATISFACTORY
<p>Date site visited.....</p> <p>Name.....</p>		<p>Signed.....</p> <p>Name.....</p> <p>Date.....</p>