

GANARASKA HIKING TRAIL ASSOCIATION



RISK MANAGEMENT PROTOCOL

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1. **Background on Hike Ontario:** Hike Ontario was founded in 1974 as a non-profit organization dedicated to serving the needs of hikers and walkers in the Province of Ontario. The membership of Hike Ontario consists of 26 long distance trail associations and hiking clubs (i.e., the Ganaraska Hiking Trail Association, Bruce Trail Association, etc) with memberships totaling over 13,000 people across Ontario. Hike Ontario is the umbrella organization that provides these province wide associations with resources and services to build on these long established local and regional initiatives in a way which compliments and enhances them. Hike Ontario is the province's most valuable support resource for hiking and walking groups and pedestrian trail users and its' Mission Statement is "*to encourage walking, hiking and trail development in Ontario.*" Hike Ontario is the official sole provider of province-wide hiking information and services and the umbrella organization that provides province-wide associations and clubs with resources and services to build on local and regional initiatives in a way in which complements and enhances them. Hike Ontario has developed provincially recognized industry standards and training programs for Hike Leaders that are used by community colleges, universities, hiking clubs and outdoor training organizations for course delivery. The GHTA has provided the Hike Ontario's Key Elements of Risk Management for Ontario Hiking Clubs and Associations attached as Appendix 2 to this Risk Management Protocol Document.

2. **Hike Ontario's perspective on the Need for Risk Management:** Hike Ontario acknowledges that accidents and misadventures can and will happen; people can be injured, property can be damaged, and injured persons can launch a lawsuit against Hike Ontario and/or its hiking clubs. Hike Ontario believes their avoidance is the object of risk management work. Hike Ontario expects that prudent trail associations and clubs will do all they can to ensure a safe trail, and safe trail use programs.

3. **Hike Ontario's position on the Legal Foundation of Trail-Based Risk Management:** Hike Ontario's position on the Legal Foundation of Trail-Based Risk Management is based on two statutes in Ontario: 1. the Occupiers' Liability Act, and 2. the Trespass to Property Act. These two Acts establish the legal basis for the creation, maintenance and use of hiking trails together with this Hike Ontario risk management framework. Trail Association and/or Club officials should make themselves familiar with these Acts (www.e-laws.gov.on.ca). Highlights that effect Hiking and trails from these acts are as follows:

- a. Section 4.(1) of the Occupiers' Liability Act affords protection to landowners by shifting limited liability for injury from the landowner to the occupier - trail user;
- b. Section 3 (1) of this the Occupiers' Liability Act states: An occupier (meaning either the land owner or a person, such as a trail club, which has control over persons allowed to enter the land) of premises (land) owes a duty to take such care in all circumstances to see that persons entering on the premises, and property taken on the premises by those persons are reasonably safe while on the premises;
- c. Section 4. (1) this the Occupiers' Liability Act states: The duty of care provided for in subsection 3 (1) does not apply in respect of risks willingly assumed by the person who enters on the premises, but in that case the occupier owes a duty to the person to not create a danger with the deliberate intent of doing harm or damage to the person or his or her property and to

not act with reckless disregard of the presence of the person or his or her property;

- d. Subsections 4. (3) and (4) of the Occupiers' Liability Act go on to provide that persons entering on "recreational trails" for recreational purposes on a non-fee paying basis, are deemed to have willingly assumed all risks and are subject only to the reduced duty set in subsection 4 (1); and
- e. The Trespass to Property Act provides useful insight into signage on property to permit or restrict access and activities. The act is administered by the Attorney General of Ontario

4. **Hike Ontario's perspective on the Benefits of Risk Management:** Hike Ontario believes that effective Risk Managements helps Trail Clubs and Associations:

- a. manage risk by being prepared for mishaps (e.g. training, trail audits, surveillance mechanisms, work documentation, emergency planning, etc.)
- b. reduce risk by limiting the chance of mishap (e.g. enforced rules)
- c. share risk by making others responsible for the financial compensations, if any, for injuries or loss (e.g. waivers, insurance)
- d. eliminate risk by identifying and controlling situations and activities that will cause injury (e.g. marking hazards, closing trails, canceling hikes in dangerous situations)
- e. control risk by preventing in the first instance or by reducing its severity should an incident occur.

5. Hike Ontario believes that effective risk management begins with the identification of threats to the continuing operations of the trail association. There are 2 general elements in the control of unintended events leading to property damage, discomfort, injury and/or death on footpaths and on shared-use trails:

- a. those to be considered and implemented in the planning, construction and maintenance of trail.
- b. those associated with the use of the trail by the trail Associations / Clubs, their members, their guests and/or the general public.

6. Hike Ontario believes that the best defense against liability claims will be a sound plan of risk management to minimize the potential of injury or damage. An operating risk management plan also will demonstrate that the trail club has fulfilled its duty (due diligence) to take reasonable care for the safety of trail users. However, despite trail club's attempts at best practices and due diligence, lawsuits can still arise and courts may be reluctant to find an injured plaintiff entirely responsible for his/her own injuries.

7. **Hike Ontario's perspective on the Steps in Risk Management:** Hike Ontario believes that the main steps of Risk Managements are:

- a. Acknowledging that risk exists.
- b. Identifying the risks.

- c. Evaluating the risks.
- d. Creating a risk management plan.
- e. Putting the plan into action.
- f. Monitoring the performance and use of the plan annually.

8. Hike Ontario's perspective on the Key Elements of Effective Risk

Management for Trail Clubs and Associations: Hike Ontario has categorized ten (10) key elements of effective Risk Management, which it requires its' association member to comply with. These ten key elements are:

- a. Trail building and maintenance standards
- b. Trail Signage
- c. Trail Auditing
- d. Training of hike leaders, trail workers and other volunteers
- e. Waivers of liability and assumption of risk
- f. Accident and incident reports
- g. Landowner agreements
- h. Collaboration with landowners, private and public
- i. Club Budgeting
- j. Insurance

GANARASKA HIKING TRAIL ASSOCIATION BACKGROUND

9. **Objective:** The Ganaraska Hiking Trail Association (GHTA) is a registered charity dedicated to the conservation of our natural resources. The objectives of the Association are to establish and maintain a hiking trail for public use from Port Hope to the Bruce Trail near Collingwood and to develop and maintain side trails and loop trails with the objective of accessing places of scenic interest or to connect with other trails.

10. **History:** The Ganaraska Hiking Trail originated as a centennial project in 1967 using the disused Port Hope to Lindsay and Beaverton railway line that ended at Midland. The Ganaraska Trail from Port Hope to Lindsay was officially opened on the 21st April 1968. The following year, in 1969, the Association began constructing Sections in-between the Bruce Trail at Glen Huron and Lindsay which continued in to the early 1980s. In 2000 the name was changed to the Ganaraska Hiking Trail Association to distinguish it, and the Trail, from vehicular, equestrian and multi-use trails. The GHTA is comprised of nine member clubs of the Association that maintain the 500 kilometer long Ganaraska Hiking Trail from Port Hope on Lake Ontario to the Bruce Trail near Collingwood, with side trails to Wasaga Beach and Midland. The Association is run by a Board of Volunteers drawn from the member clubs.

11. **Risk Management Statement:** The GHTA is committed to be the leader within Ontario for all hiking Clubs and Associations for Risk Management Practices, Policy and Education.
12. **Risk Management Goals:** The GHTA Risk Management Goals are to:
 - a. Prevent fatalities, disabling injuries and serious illness;
 - b. To reduce all injuries and illnesses;
 - c. To anticipate emergency response and crises management need and design suitable protocols and plans;
 - d. To be a leader and resource for Hike-related Risk Management practices
13. **Risk Management Oversight:** The GHTA has categorized roles and responsibilities throughout the Association. Roles and Responsibilities are as follows:
 - a. **The Risk Management Committee:** The GHTA Risk Management Committee monitors the GHTA risk management efforts and performance and assists in the formulating risk management goals, strategies and standards. Committee membership is comprised from GHTA Executive Directors, Club President's special advisors and the Risk management Director. Club Directors, Hike Leaders and other support staff may participate as necessary. The committee meets regularly twice per year and meetings are generally open to all members;
 - b. **President and Executive Directors of the GHTA:** The President of the GHTA is an ex officio member of the Risk Management Committee. The President of the GHTA consults regularly with the Risk Management Director. The President and the Executive Directors of the GHTA provides leadership, direction and guidance for the Risk Management Program;
 - c. **Risk Management Coordinator:** The Risk Management Coordinator develops and implements Risk Management at the program level. The Risk Management Coordinator monitors and investigates injury, illness and near-miss incidents, establishes risk management policy and reviews marketing materials to ensure an accurate description and disclosure of risk inherent to GHTA activities. The Risk Management Coordinator reports regularly to the President and the Executive Directors of the GHTA as well as all Club Presidents. The Risk Management Coordinator oversees Hike Leader training programs, and consults with loss control experts, physicians and other outdoor education managers and field staff for insight on ways to improve Risk Management for all GHTA operations;
 - d. **Club President's and Directors:** Each Club President is responsible for the Risk Management program at the field level. Club Presidents' and Directors consults regularly with Hike Leaders and members to ensure Risk Management policies are addressed. Club Presidents' and Directors provide periodic reports to the Risk Management Director, monitor Risk Management concerns from Hike Leaders, design and implement emergency procedures. Club Presidents' and Directors oversee the process of Hike Leader and general Membership performance and make recommendations for promotion;

- e. **Hike Leaders:** Hike Leaders are experienced hiking instructors who have supervisory responsibility for each hike. General members are promoted to this position in an orderly advancement, having demonstrated requisite levels of skill, judgment, risk management, experience and/or formal training; and
- f. **GHTA Members / Participants:** All GHTA Members / Participants have key responsibilities in the Risk Management Program:
 - i. By reading the GHTA Events Schedule the Member / Participant determines the general requirements of the Activity;
 - ii. The Member / Participant reads and signs a "Waiver of Liability and Assumption of Risk" form that describes the hazards, perils and risk issues involved in participating in a GHTA activity;
 - iii. The Member / Participant are to disclose their physical and psychological health to the Hike Leader; and
 - iv. The Member / Participant will receive an orientation from the Hike Leader before the group departs on any GHTA activity. During which the various facets of the activity are emphasized. Particular emphasis is placed on individual responsibilities for Risk management for themselves and the group. This orientation, along with the information contained in the Events Schedule and the Waiver of Liability and Assumption of Risk form is designed to alert the member / Participant that risks to exist and that Risk managements is a priority for GHTA Activities.

GANARASKA HIKING TRAIL ASSOCIATION CORE CURRICULUM

14. **The GHTA Core Curriculum:** Each Hiking Activity that the GHTA facilitates provides fundamental knowledge, skills and experience essential for good health and a great way to get in touch with nature. Hiking greatly reduces ones chances of heart problems and it is a super way to lose excess pounds. Hiking is an aerobic exercise that improves overall physical fitness, using leg muscles, core body muscles, and lungs. With hiking, one can set the pace and length that is a comfortable challenge for ones own body. The psychological effects of spending time in natural surroundings are positive and strong. One can hike any time of the year. It is a great activity that can be done in all seasons so a single route can have many different looks as the seasons change. By mastering hiking skills, one can expand horizons in to mountaineering, backpacking, rock climbing and other outdoor wilderness activities. As more advanced hikes are completed, a hiker understands that he is capable of even larger feats. Making ones way through foul weather or rugged terrain builds confidence in what one can do. The GHTA embraces this core curriculum through:

- a. **Risk Management:** Experience and guidance to develop sound judgment and decision making skills; first aid/wilderness medicine; situational awareness; hazard evaluation and analysis; incident, injury and illness prevention or treatment; rescue techniques; and emergency procedures.
- b. **Leadership and Teamwork:** Rotation of Hike Leaders or "Hike Leader of the Day" opportunities, rotation and appointment of Sweeps, leadership styles, coaching and mentorship, hike planning and group dynamics.

- c. **Outdoor Skills:** Campsite selection, shelter and stove uses, fire-building, sanitation and waste disposal, nutrition and rations, equipment care and selection, keeping warm and dry, route-finding and navigation, backpacking, snowshoeing, caving, climbing and scrambling.
- d. **Environmental Studies:** Minimum impact camping and resource protection, ecosystems, flora and fauna identification, geology, weather, astronomy, multiple land use theory and practice, land management and cultural issues, public service and wilderness ethics.

GANARASKA HIKING TRAIL ASSOCIATION HIKE LEADER TRAINING AND DEVELOPMENT

15. **Safe Hiker Program Course:** As the GHTA Core Curriculum already provides ample opportunities for hiking activities, the Safe Hiker Program Course, offered by Hike Ontario may not be relevant for experienced GHTA hikers. However, the Safe Hikers Program Course may perhaps be a good program for novice or new GHTA hikers who wish get more involved and / or to gain more confidence with hiking activities and their abilities.

16. **Certified Hike Leader Course:** The Certified Hike Leader Course is an introductory leadership course, which is best suited for experienced GHTA hikers who have expressed an interest in assuming more of a leadership role. The GHTA suggested that the Hike Ontario's Certified Hike Leader Course be conducted Club-level activity geared towards select GHTA hikers who demonstrate the requisite skills and confidence. The Certified Hike Leader Course is a 7-hour course with goal to introduce participants to the standards of a trained hike leader, instruction and risk management for Day Hikes where the hike is no more than 2 km from road access. Much of the emphasis on the course is instructional but, as a certification program, a significant portion of the agenda is assessment and skills evaluation. The certification issued to the successful candidates is a provincially recognized industry standard recognition and will assist the candidates in leading hikes. To be eligible to take this course and, thereby become a Certified Hike Leader, candidates must have their Safe Hiker Certification or have demonstrated a level of hiking competence and experience including having completed a minimum of five day hikes and present a letter of reference and/or recommendation from the GHTA. Course topics include Risk Management, Leadership, Trail Guides, Maps, Outdoor Techniques, Environmental Appreciation and Hike Planning. The focus on the course evaluation includes requiring the participants to model and demonstrate the appropriate actions of a hike leader.

17. **Certified Wilderness Trip Hike Leader Course:** It is anticipated that this would be suitable training for our anticipated Hike Leaders, who lead expeditions through the Wilderness Section of the Ganaraska Hiking trail and / or similar wilderness excursions.

18. **Instructor Level Training:** The GHTA endorses select members to be identified to become instructors for the Safe Hikers Program, Certified Hike Leader and Certified Wilderness Trip Hike Leaders Courses. The GHTA endeavours to be self-sufficient with the delivery of certification training in an effort to mitigate the costs associated with training and for the convenience of our membership. The commitments for instructor level training includes that the Certified Member, must team-teach one Certified Course alongside a train-the-trainer and they must be assessed by the participants of their inaugural course where they were team-teaching as well as being assessed by the participants of 5 subsequent courses, independently teaching.

19. **Outreach Opportunities:** The GHTA endorses participation in outreach opportunities with like-minded organizations. The GHTA believes that active collaboration with like-minded organizations is vital to our professional association and aids in providing

successful and healthy risk management. To aid in this collaboration Directors are appointed to represent the GHTA with Hike Ontario, Nature Canada, Queen Elizabeth II Wildland Provincial Park and the Ganaraska Forest Users Group.

20. **First Aid Training:** The GHTA endorses training and certification in industry recognized First Aid. At a minimum, the GHTA requires that all our Hiking Activities have a Standard Level (16-hour course) First Aider appointed. The appointed First Aider need not be the Hike Leader, and is preferably someone else in the group. The GHTA acknowledges that there is an industry shift to ensure, whenever possible that group activities include a supervisor with wilderness first aid qualifications.

21. **Training and Development Fund:** The GHTA offers limited funding to GHTA members to attend non-GHTA seminars, conferences and training. Thought this funding it is expected that select and approved GHTA members will gain additional knowledge and experience in risk management and mitigation, wilderness travel, judgment, and decision making skills,

GANARASKA HIKING TRAIL ASSOCIATION ADMINISTRATIVE PROCESS

22. **Risk Management Audits:** The GHTA periodically performs Risk management Audits to determine the status of risk management systems within the Association. Participants in the audit may include the GHTA Directors, the GHTA Risk Management Directors, Club Directors, Hike Leaders, Instructors, and outside experts in loss and control.

23. **Risk Management Review Process:** The GHTA Risk Management Review Process is used to analyze and understand major Hiking Activity incidents, in an effort to learn from the incident and revise programs, if necessary. A panel of Directors / Administrators, Club Directors and outside experts examines all the data associated with the incident and makes recommendations.

24. **Evaluations:** Evaluations examining all aspects of hiking activities and the risk management program in particular are routine practices at the GHTA. The GHTA constantly work on improving this process through evaluation of Instructors, Hike Leaders, and hikers. Each Instructor and Hike Leaders evaluates their own course / activity; Club Directors summarizes their operation and the GHTA produces an annual Risk Management report.

25. **Hiking Activity Paperwork:** Each Hike Leader is required to keep a detailed log including:

- a. Daily weather conditions;
- b. Activities conducted;
- c. Appointed assistant leaders (i.e., sweeps);
- d. Incidents with hikers, including action taken;
- e. Hike location data;
- f. Accident, Incident and Near-Miss Report Forms;
- g. Waiver of Liability and Assumption of Risk Forms; and
- h. Evacuation reports.

GANARASKA HIKING TRAIL ASSOCIATIONS' RISK MANAGEMENT PROCESS

26. When analyzing a GHTA approved activity, five questions must be asked and adequately answered by the Hike Leader responsible for the activity. This process will help determine to whom, where and when the incidents are occurring.

- a. **What?** What are the needed skills for the activity? Is a pre-training activity required to ensure that participants have the proper skills? What is the length of the activity? Does the activity require a certain levels of fitness?
- b. **Why?** Is the activity consistent with the objectives of the GHTA? If the answer to WHY? cannot be linked to the objectives of the GHTA, then the activity should not be conducted.
- c. **Where & When?** On what type of terrain will the activity take place? What is the season? At what time of day will the activity begin and end?
- d. **How?** Is the hike Leader trained for this activity? Is the appropriate equipment available and in good condition? Will a Hike Leader accompany the participants at all times?
- e. **Who?** What participants will attend the activity? Will their age, gender, diversity, emotional readiness, etc., impact the activity? Are there regulations preventing anyone from doing the activity?

27. With this information, The Hike Leader is to create a list of the incidents that are most likely to occur. Only the risks that would be considered reasonable by an average person should be listed (eg, during a Day Hike activity a reasonable incident that could occur would be a participant tripping over a obstacle, an unreasonable incident would be that a sudden tornado could rise and engulf the obstical and the participant on it). It is important to use common sense when listing potential incidents. For all incidents, a few questions are also to be asked to properly assess them: Where are these incidents most likely to occur? At what point in the activity/day will they occur? Who is more prone to incidents?

28. **Identifying Risks Associated with Hiking Activities:** To assist GHTA Hike Leaders in identifying risks associated with hiking activities a Rubric has been developed to help guide awareness and to help categorize Hiking Activities into Low, Medium, High and Unacceptable Risks. It must be stressed that this Rubric is only a guide to identifying and estimating the extent of risks associated with hiking activities and it does not supplant common sense. The GHTA has provided a Risk Assessment Form attached as Annex A to this Risk Management Protocol Document, for which Hike Leaders may use and retain for their own personal logs.

	Activity	Group	Hike Leader	Environment	First Aid	External Factors
	1/2/3/4/5	1/2/3/4/5	1/2/3/4/5	1/2/3/4/5	1/2/3/4/5	1/2/3/4/5
1	Within the every day experience of the individuals.	Very experienced appropriate level of competency.	Experienced and qualified at the appropriate level.	Urban <u>or</u> rural with hazards that are predictable.	* First Aid and Emergency Services readily available. Staff qualifications at appropriate level.	Weather appropriate to the activity, any change will have no adverse effect on the group.

2	Outside the every day experience of the individuals but tasks have familiar aspects.	Regular exposure to the activity. An adequate level of competency.	Minimal qualifications, regular participant.	Urban <u>and</u> rural with hazards that change quickly.	* First Aid and Emergency Services readily available. Staff minimally qualified in First Aid.	Weather appropriate to the activity, any change will have minimal effect, but will not affect safety.
3	Outside the everyday experience of the individuals but competency has been achieved in training.	Occasional exposure to the activity. Some competency.	Minimal qualifications, occasional participant.	Overnight camping. (Urban and/or Rural).	* First Aid and Emergency Services readily available. Staff unqualified in First Aid.	Weather change could lead to problems if the group is not adequately prepared by training or equipment.
4	Outside the everyday experience of the individuals but training has been given.	Some experience at an introductory level. No competency.	Some experience as a leader. Limited or occasional participant.	Close proximity to water, cliffs, or other dangerous topographical feature.	No First Aid and Emergency Services readily available. Staff qualifications at appropriate level.	Weather change could lead to serious problems if the group has not achieved a level of competency in the activity or is not adequately equipped.
5	Outside the experience of the individuals - no prior training.	Absolute novices, no experience of the activity and / or have special needs.	No experience of the activity in a leader capacity, some experience as a participant.	Areas classified as Wilderness	No First Aid and Emergency Services readily available. Staff min qualified in First Aid.	Weather change could have serious repercussions for the group.

RISK CATEGORY

6 – 10 Low Risk	11 – 19 Medium Risk	20 – 25 High Risk	26 – 30 Unacceptable Risk
The possibility and nature of an accident occurring are not substantially different to those encountered in everyday experience.	The hazards encountered are outside the groups experience but by adopting principles of safe practice should bring them to an acceptable level.	The hazards encountered are either extreme or very much beyond the everyday experience of the group. The repercussions of an accident could lead to serious consequences.	The hazards encountered are far beyond the experience of the group and the Exercise Leader.

First Aid and Emergency Services are classified as being readily available in urban/rural country (Wilderness Activities will score 4/5).

29. **Controlling Risks Associated with Hiking Activities:** After identifying and estimating the extent of risks associated with hiking activities, there are four approaches that the GHATA use to control risks:

- a. **Elimination:** either through avoidance which is identifying the elements of the risk prior to a situation and determining that the GHATA is unable for financial or other reasons to meet the standard of care to conduct the activity appropriately, or discontinuance, which is no longer offering a activity element because it is too great a risk; if the GHATA cannot conduct an activity with the best professional practices, it should be eliminated;
- b. **Transfer:** moving financial risks to another individual or organization;
- c. **Retention:** assuming and handling the financial losses internally;

- d. **Reduction:** operating as safely as possible, attempting to decrease accidents as the core of risk management, generally done in conjunction one or more of the other approaches to controlling risk.

30. **Managing Risks Associated with Hiking Activities:** The GHTA retains and manages risk by following a few simple guidelines (the GHTA employs commonly used and simple Acronym called "D.E.E.P.G.R.A.S.S."):

- a. **Disclosure**

- i. Exchanging information, including medical and physical requirements and conditions;
- ii. Explaining expectations regarding behaviour issues for the activity; and
- iii. Explaining policies and risks in enough detail to reduce the surprise to the participants completing the activity.

- b. **Emergency Protocols**

- iv. Asking if there are there any in place for the activity;
- v. Ensuring the Hike Leaders know about the policies;
- vi. Ensuring the Hike Leaders are trained in enforcing the policies; and
- vii. Ensuring the participants are briefed on protocols should they be separated from the rest of the group.

- c. **Environment**

- viii. Ensuring Hike Leaders are cognizant about where and when they are going to complete the activity; and
- ix. Ensuring Hike Leaders present this information to all participants, in order for them to accurately prepare.

- d. **Practice & Policies**

- x. Ensuring policies clear and precise;
- xi. Ensuring policies accessible to all participating; and
- xii. Ensuring a mechanism to address questions involving the policies?

- e. **Gear**

- xiii. Ensuring that a kit list is developed; and
- xiv. Ensuring all GHTA owned kit contains current condition logs, in order to determine if the kit is serviceable for use (if applicable).

- f. **Reporting & Reviews**

- xv. Completing an After Action report;
 - xvi. Validating activities; and
 - xvii. Completing Log books.
- g. **Administration**
- xviii. Ensuring all areas in administration are covered for planning activities, including: scheduling, coordinating logistical requirements and rest & replenishment locations.
- h. **Screening & Supervision**
- xix. Ensuring Hike Leaders up-to-date with their GHTA membership;
 - xx. Ensuring Hike Leaders up-to-date with their Hike Ontario Hike Leader Certification; and
 - xxi. Ensuring participants up-to-date with their GHTA membership.
- i. **Staff**
- xxii. Ensuring Hike Leaders qualification are up-to-date;
 - xxiii. Ensuring that all Hike Leaders are briefed efficiently for supervising and directing the activities; and
 - xxiv. Giving Hike Leaders adequate down-time between activities.

GANARASKA HIKING TRAIL ASSOCIATIONS' RISK MANAGEMENT POLICY

31. **Managing and Controlling the Key Elements of Effective Risk Management:**

The GHTA embrace the Hike Ontario's key elements of effective risk management. The GHTA Manage and Control the Key Elements as follows:

- a. **Trail building and maintenance standards:** Where applicable and feasible the GHTA will adopt the trail development and maintenance practices set out in the Bruce Trail Conservancy's (BTC) *Guide for Trail Workers*, 3rd edition, 2001. The GHTA has provided the Bruce Trail Conservancy's (BTC) *Guide for Trail Workers*, 3rd edition, 2001 attached as Appendix 3 to this Risk Management Protocol Document. GHTA Risk Management Control for trail building and maintenance, endeavours to meet or exceed the following:
 - i. **Construction practices:** The GHTA controls the risk associated with this activity by transferring the risk to the BTC for the development and maintenance of trail development and maintenance practices and by reducing the risks by employing a rustic trail policy (i.e., if a tree falls across the pathway and it is easily navigated over, then the GHTA policy is to let-it-be). thus eliminating (avoiding) the requirement for an accessible trail;
 - ii. **Use of power tools:** The GHTA controls the risk associated with this activity by eliminating the risk by not owning (discontinuance) any

- power tools on our inventory and by transferring the risk to individuals if/when they choose to use their personally owned power tools;
- iii. **Signage and marking:** The GHTA controls the risk associated with this activity by retaining the risk by signing trailheads (12'x12' medal signs) and marking the trail every 50 to 100 meters (standard-sized white plastic or painted blazes);
 - iv. **Maintenance schedule:** The GHTA controls the risk associated with this activity by retaining the risk by conducting annual maintenance along the entire length of the trail;
 - v. **Persons responsible:** The GHTA controls the risk associated with this activity by retaining the risk by identifying individual Clubs to be responsible for their own portion of the trail and by transferring the risk to individual landowners / organizations that own the trail (i.e., Conservation Authorities, Provincial Parks, Forest User Groups, etc.);
 - vi. **Training of volunteers:** The GHTA controls the risk associated with this activity by retaining the risk and empowering individual clubs to recruit and train their core volunteer group and by offering to offset the cost for volunteers to acquire professional training from recognized outside training providers. As well, when feasible, the GHTA controls the risk associated with this activity by transferring the risk to other organizations who are responsible for their own training (i.e., Cadets Canada, Scouts Canada, Conservation Authorities, Provincial Parks, Forest User Groups, Townships, etc.);
 - vii. **Trail hazards:** The GHTA controls the risk associated with this activity by retaining the risk by promotion of a rustic trail policy and by informing participants of trail hazards with our Guidebook, Newsletter and Orientation briefings;
 - viii. **Reporting system for work required:** The GHTA controls the risk associated with this activity by retaining the risk through employing an on-line feedback scheme accessible through the GHTA webmaster who will in turn direct the query to the GHTA Trail Director and the applicable Club President and / or through direct communication to Club presidents, by publishing contact information on the GHTA Website and Newsletter.
 - ix. **Keeping written records readily available of where, when and by whom the work was done:** The GHTA controls the risk associated with this activity by retaining the risk by employing a GHTA Trail Director and where feasible, individual Club Trail Directors who will initiate the written records and forwards any old-records to the GHTA Archivist for retention, where applicable.
- b. **Trail Signage:** The GHTA employs Directional Signage, Information Signage and Hazard Signage. GHTA risk management control for trail signage, endeavours to meet or exceed the following:
- i. **Directional Signage:** The GHTA controls the risk associated with this activity by retaining the risk by using standard 6-inch, white-painted or plastic, vertical slashes to mark main trail routes. From a risk

management point of view, clear directional signage enables hikers to follow the Trail User's code with respect to the 'stay on trail' issue. Where applicable the GHTA will use standard 6-inch, blue-painted, vertical slashes to mark side trail routes.;

- ii. **Information Signage:** The GHTA controls the risk associated with this activity by retaining the risk by using standard 12-inch by 12-inch medal signs to mark trailheads. GHTA signs clearly states / identifies by words and/or graphics permitted and non-permitted uses, the Trail User's code and landowner access agreements;
 - iii. **Hazard Warning Signs:** The GHTA controls the risk associated with this activity by retaining the risk by using signs for areas of extreme or unusual danger. If the hazard is repairable, the GHTA shall take steps to do so at its earliest opportunity while keeping the section involved 'closed' to use until repairs have been made. The GHTA acknowledges that a warning sign does not absolve the GHTA of responsibility.
- c. **Trail Auditing:** The GHTA employs annual Trail Inspections / Auditing. The GHTA controls the risk associated with this activity by retaining the risk by inspecting or auditing, the trail for hazards and correct signage and document these inspections on an annual basis. This is normally achieved by having the individual clubs complete the audit during their annual trail maintenance activities. The GHTA has provided a Trail Status Report Form attached as Annex B to this Risk Management Protocol Document, for which each individual club must complete and return annually to the GHTA Risk Management Director. Formal trail auditing shall be done by a competent individual or a group agreed by the Club and GHTA. Club Presidents are responsible to retaining a copy of the Trail Status Report and will share this report with Trail workers during scheduled trial maintenance activities and with Hike Leaders, as soon as practical. The GHTA Risk Management Coordinator will note concerns on each clubs Trail Status Reports and follow-up on any deficiencies. Documentation of the Trail Status Reports will be retained for 7 years.
- d. **Training of hike leaders, trail workers and other volunteers:** The GHTA acknowledges that trail building, maintenance and hike leading should only be done, and supervised by those who have been trained and equipped for the conduct of these programs. As such the GHTA endorses the training of hike leaders, trail workers and volunteers. GHTA Risk Management Control for the training of hike leaders, trail workers and volunteers, endeavours to meet or exceed the following:
- i. **Hike Leading:** The GHTA controls the risk associated with this activity by retaining the risk of appointing Hike Leaders who are GHTA members that have displayed through a combination of experience and / or formal training the desired leadership and risk management requisites. The GHTA also controls the risk associated with this activity by transferring the risk of formalized training and the maintenance of its' curriculum to the Hike Ontario Hike Leader Certification Courses. The GHTA requires that prior to commencing any sponsored hike, Hike Leaders should ensure a comprehensive discussion occurs with participants, including a question and answer session, and explain that they are signing a waiver which has legal implications. This is to ensure that hike participants understand that

the hike leader is a volunteer and should be exempted from liability and that participants must understand there are risks involved in hiking and should accept responsibility for these risks. The Hike Leader should explain to the participants the hike duration, the degree of hike difficulty, emergency procedures (e.g. whistle code, two-way radios, cell phones, and ask who has first aid training). GHTA Hike Leaders have the authority to: turn away anyone from a hike if they think that person is putting themselves and others at risk by participating; change the hike route due to dangers and hazards; cancel the hike due to unacceptable risks; and permit or refuse dogs on hikes (for the safety of hikers and property owners, dogs should remain leashed at all times). Hike leaders should be knowledgeable of hunting seasons and take appropriate measures if necessary. Liaison with local Ministry of Natural Resources officials is important in this consideration. Hiker leaders should be prepared to reassess hike plans based on threatening weather. Hike leaders need to be alert for participants who may have certain disabilities and ensure that those participants have adequate support.

ii. **Trail Worker and Volunteer Training:** The GHTA controls the risk associated with this activity by retaining the risk and empowering individual clubs to recruit and train their core volunteer group and by offering to offset the cost for volunteers to acquire professional training from recognized outside training providers (if and when appropriate). As well, when feasible, the GHTA controls the risk associated with this activity by transferring the risk to other organizations who are responsible for their own training (i.e., Cadets Canada, Scouts Canada, Conservation Authorities, Provincial Parks, Forest User Groups, Townships, etc.). When GHTA Volunteers are utilized they will be made aware of the hazards and risks involved in trail work. All volunteer trail workers are advised to read the Bruce Trail Conservancy's "*Guide For Trail Workers*". The GHTA only authorizes trail building with the landowner's prior knowledge and approval. The GHTA permits trail maintenance to be conducted within the restrictions and limitations specified in any land use agreement. The GHTA requires that volunteers participating in trail building or maintenance must sign a "Waiver of Liability and Assumption of Risk Form. The GHTA Volunteers shall be at least 16 years of age. The GHTA authorizes other organizations to assist in trail building or maintenance, regardless of age (i.e., Cadets Canada, Scouts Canada, Conservation Authorities, Provincial Parks, Forest User Groups, Townships, etc.).

e. **Waivers of liability and assumption of risk:** The GHTA employs Waivers of Liability and Assumption of Risk Forms. The GHTA controls the risk associated with this activity by retaining the risk by using a standard Waiver of Liability and Assumption of Risk Form. The GHTA has provided a Waiver of Liability and Assumption of Risk Form attached as Annex C to this Risk Management Protocol Document, for which each Hike Leader and retain for at least 7 years. The "waiver and assumption of risk" form shares the stated risk among the club, the hike leader and the participant. This form should be verbally explained by the volunteer supervisor and/or hike leader in the case of hikes before signing to ensure knowledge of conditions they will encounter and what rights they may be waiving by signing the waiver form. The form should be read and signed by all participants in a hike or volunteer activity.

Signers should be 18 years of age or older to sign in order to be legally valid. The signed form discourages aggrieved parties from suing; however it will not prevent lawsuits or court awards to a plaintiff. The GHTA Waivers of Liability and Assumption of Risk Form provide a list of participants who could serve as witnesses.

- f. **Accident and incident reports:** The GHTA employs Accident, Incident and Near-Miss Reports Forms. The GHTA controls the risk associated with this activity by retaining the risk by using a standard Accident, Incident and Near-Miss Report Form. It is important that each club carefully and accurately document every accident, injury or incident, including recording the location, nature of the hazard and the injury, the circumstances, any property damage, contributing factors, witnesses, medical attention if any and agency response. The GHTA warns its' membership that any trail representatives (including volunteers, leaders etc) to never admit liability or fault at anytime. The GHTA has provided an Accident, Incident and Near-Miss Report Form attached as Annex D to this Risk Management Protocol Document, for which each individual club must complete and return, as required, to the GHTA Risk Management Director. The GHTA Risk Management Coordinator will note concerns on each Accident, Incident and Near-Miss Report, follow-up on deficiencies and provide annual statistics to the GHTA President and Directors at the Annual General Meeting. Documentation of the Accident, Incident and Near-Miss Report will be retained for 7 years. Significant incidents will be reported to both the insurer and Hike Ontario. For the purpose of openness and transparency, redacted versions of the Accident, Incident and Near-Miss Report and annual statistics may be shared with external agencies. The GHTA further support the need for Crisis Management Protocol. The GHTA has provided a Crisis Management Protocol attached as Appendix 1 to this Risk Management Protocol Document. The Crisis Management Protocol is a guideline to crisis management organization and related tasks in the event of a serious injury/illness or fatality in conjunction with the GHTA activities. It may also be used for a non-field crisis such as a facility fire or environmental disaster. This protocol is not intended as an exhaustive treatise on crisis management. Each situation will be unique, with its own special circumstances and requirements; however this document should be used as a "go to" resource for organizing the GHTAs first response to a crisis situation
- g. **Landowner agreements:** The GHTA supports Landowner Agreement. The GHTA controls the risk associated with this activity by retaining the risk through written agreement (whenever possible and amicable) that give the GHTA access and use of the owner's land. Written agreements are preferable to settle access questions. When requested, the GHTA may provide the Landowner proof of the GHTA insurance in order to complete an agreement. In these cases a copy of the GHTA insurance certificate will be supplied to the landowner. In the event of a "handshake agreement", the GHTA will follow-up any such agreement with a letter to the landowner confirming the verbal agreement. A paper trail will document the parties involved, date, time and place.
- h. **Collaboration with landowners, private and public:** The GHTA supports collaboration with private and public Landowners. The GHTA controls the risk associated with this activity by retaining the risk through regular liaising with all trail private and public landowners, regular contacts and familiarity with elected municipal officials and staff. The GHTA also supports other collaborative measures which may benefit the GHTA, including having trails

clearly marked in municipal official plans and park plans with the permitted uses specified e.g. "pedestrian only" or "mixed use".

- i. **Club Budgeting:** The GHTA supports financially sound budgeting. The GHTA controls the risk associated with this activity by retaining the risk through appointing a GHTA Director in charge of Treasury who reports on the financial health of the Association bi-annually. At a minimum, the GHTA provides adequate budgetary provisions for building and replacing unsafe trail infrastructure and signage, hike leader training, and insurance coverage
- j. **Insurance:** The GHTA supports adequate insurance coverage and employs third-party insurance coverage. The GHTA controls the risk associated with this activity by transferring the risk to a third-party provider, generally as a rider under an umbrella policy. At a minimum the GHTA insurance will transfer financial loss from the GHTA and its members to the insurer, and provide funds to cover legal cost that result from injury litigation. Whenever practical, the GHTA endeavours to retain both Commercial General Liability (CGL) as well as Directors and Officer (D&O) Insurance.

WHEN AN INJURY OR PROPERTY DAMAGE OCCURS

- 32. When an injury or property damage occurs:
 - a. Send for an ambulance and get help for the injured person.
 - b. Avoid discussion of blame, compensation or "deal-making."
 - c. Notify the police in the event of severe bodily injury, car accident, burglary or theft.
 - d. Notify Hike Ontario and the insurance company promptly.
 - e. Complete an Accident, Incident and Near-Miss Report Form.

IN THE EVENT OF A LAWSUIT

- 33. In the event of a lawsuit, the GHTA Directors / Administrators must take the following precautions:
 - a. Do not involve yourself in the handling of claims.
 - b. Pass all legal correspondence - without comment or answer - to the insurer immediately.
 - c. Do not talk to any lawyer.
 - d. Make notes of any phone calls from a third party.
 - e. Keep all records in a safe and retrievable place.
 - f. Cooperate with the GHTA insurance company adjuster. They are there to help you.

CONCLUSION

34. Risk Management has always been and will continue to be an important priority of the GHTA. It prevents incidents from happening that could have been avoided through due diligence. Nevertheless, no matter how many systems any organization employs, no matter how stringently those systems are enforced, incidents will happen. The GHTA can not, nor can anyone, reduce that possibility to zero. The GHTA do not seek risk for the sake of risk, but in wilderness areas, there are no simple solutions for complex emergency situations. Participants on GHTA activities must accept the fact that risk of injury or death is unavoidable during travel and recreation in remote areas. Last minute situations may occur and will require Hike Leaders and Activity Planners to adapt accordingly. During the conduct of the activity, constant analysis of the risks, the use of common sense and advice from experienced personnel will help the Hike Leaders and Activity Planners make sound decisions and help ensure the participants' welfare and safety.