

Risk Management Policy for Thames Valley Trail Association – February 8, 2020

Risk Management Policy model

Each hiking association under the umbrella of Hike Ontario must have a Risk Management Policy and it must be reviewed yearly. It includes a framework for trail building, signage, training of hike leaders and trail workers, incident reporting, landowner agreements, waiver of liability, and insurance. It may be downloaded from our website. It is sent by Hike Ontario and is filled in online for our insurance by April 30 each year.

10 Key Elements to be covered under this plan

1. Trail Building and Maintenance
2. Trail Signage & Marking
3. Trail Auditing
4. Training for Hike Leaders & Other Volunteers
5. Waiver of Liability and Assumption of Risk
6. Incident Accident Reports and Records Keeping
7. Landowner Agreements
8. Collaboration with Landowners
9. Association Budgeting
10. Insurance

1. Trail Building and Maintenance:

Thames Valley Trail Association has adopted the guidelines published in the 2001 edition of the Bruce Trail Conservancy's Guide for Trail Workers 3rd edition. A written or digital copy of this guide or an updated version is to be held by both the Director of Trail Maintenance and the Director of Trail Development of the Association and to be passed on to succeeding directors.

Provision of onsite general training (excluding the use of power equipment) of volunteers at a trail maintenance or trail development outing is the responsibility of the leader of that particular session so as to ensure appropriate task assignments.

Power Equipment Training: Only those volunteers who are certified in the use of power equipment, including battery-operated equipment, who are approved by the leader of trail maintenance, or have completed a development session can use such equipment. Safety equipment is supplied by our Association and must be worn always when power equipment is being used.

When a trained operator is using power or battery-operated equipment such as a chainsaw or brush cutter, they must be accompanied by an assistant, preferably one who is trained.

Volunteers who participate in group trail maintenance or development will sign a Waiver of Liability. This is signed at the beginning of each calendar year. Any volunteer who is younger than 18 must have written permission from a parent or guardian to participate.

All trail building is to be done with the landowner's prior knowledge and approval. This is the responsibility of the leader of the activity or an agreed-upon delegate.

To maintain an inventory of maintenance equipment, the Director of Trail Maintenance will create a list on the Association website to locate and track all equipment. When a new Director takes this position, it

is the responsibility of the former Director to provide the current inventory information. Each maintenance worker shall ensure that their TVTA tools remain in good repair at the Association's expense.

Certification List: A current written record of those volunteers certified in the use of power equipment for trail maintenance or development session is to be available on our Association website for use by trail maintenance leaders. Periodic updates of this list are to be sent to the Trail Maintenance Director by those responsible for organizing and verifying a club certification course. The information will then be forwarded to our club webmaster by the current Trail Maintenance Director for posting (as suggested in Hike Ontario's draft document entitled "The Key Elements of Risk Management for Ontario Hiking Clubs and Associations" Dec 28, 2010).

All written records concerning trail maintenance and development are to be maintained by the Trail Maintenance and the Trail Development Directors forever. When a Director leaves the position, such documents as they have in their possession are to be passed on to their successor in a timely fashion.

2. Trail Signage and Marking:

Our Association uses the widely-recognized form of directional trail guide - the white blaze for a main trail and blue blaze for a side trail. Signs at our trailheads will indicate in positive language the permitted activities only, the assumption being that all other activities are prohibited. Signs may also be posted to convey clear guidelines for trail use and behaviour such as the Trail Users Code. Signs will also state that the trail is unsupervised and is for "use at your own risk."

The Trail Development Director is responsible for determining new sign locations and for their initial installation. The ongoing repair or replacement of trail signs is the responsibility of the Trail Maintenance Director.

3. Trail Auditing:

Our Association undertakes regular inspections and audits of the trail for hazards and signage and then documents these inspections and any resulting actions with copies being submitted to the Webmaster.

Forms will be stored by the Webmaster in the TVTA drop box for use by those performing trail audits or maintenance/development.

4. Training of Hike Leaders and Other Volunteers:

As of January 2012, all hike leaders must be certified by Hike Ontario through the recognized Hike Leader Certification Course. Some of our leaders may be recognized for their prior experience and therefore may not be required to become Hike Ontario certified.

Once newly Certified Hike Leaders (CHL) plan, post and lead at least 3 hikes within a year of certification, TVTA will reimburse the costs for the hike leader course.

Annually, the TVTA Activities Director will submit to Hike Ontario the list of active hike leaders who require 5 year recertification, as per Hike Ontario recertification rules. To be considered active, a hike leader must have led a minimum of one hike per year over the previous five years, or have received special consideration by the Activities Director (special consideration may be given for illness, travel or other extenuating circumstances, after consultation with the Activities Director.

TVTA will cover the cost of recertification for active leaders..

TVTA covers the cost for the CHL trainer courses and subsequent recertification.

Wilderness hikes are any hikes more than 2km from an access road. Hike leaders offering these remote hikes should have the Hike Ontario Wilderness Day Hike Leader Certification (WDHL). For multi-day wilderness hiking trips, the hike Leader should have the Hike Ontario Wilderness Trip Hike leader (WTHL) certification. Standard First aid with CPR is required for both the WDHL and the WTHL.

Wilderness First Aid is recommended. If cell phone reception is not available in the wilderness area a GPS Tracker Locator must be used to contact emergency help if required. Some of our leaders may be recognized for prior experience. This would include leaders who lead day and multi-day hikes in wilderness areas. The decision to recognize this experience rests with the Association board. Following a hike leader certification course, it is the responsibility of the course leader to provide the Activities Director with a list of those successfully certified who plan to lead hikes for TVTA. The Activities Director will then send this information to the Members Only Webmaster to be added to the website list of leaders for use by appropriate personnel.

Once a newly Certified Wilderness Day Hike Leader plans, posts and leads at least 1 hike within a year of certification, TVTA will reimburse the costs for the Wilderness Day Hike leader trainer course.

Once a newly Wilderness Trip Leader plans, posts and leads at least 1 overnight backpacking hike within a year of certification, TVTA will reimburse the costs for the Wilderness Trip leader course.

Prior to commencing any Association-sponsored hike, the leader will ensure a discussion occurs with the participants and explain that they are signing a waiver that has legal implications. This will ensure that all participants understand that the hike leader is a volunteer and is exempted from liability. Participants must understand that there are risks involved in hiking and that they are accepting responsibility for these risks. Leaders must also ensure that they or a designate is carrying a cell phone for contacting emergency services, if required.

First Aid training: Our Association promotes and provides opportunities for active hike and trail maintenance leaders to undertake first aid training. The Association will reimburse a board-approved sum to a maximum of 10 people each year to help defray expenses from their Basic First Aid training. We will also reimburse a board-approved sum (suggested maximum of \$250) to help defray expenses for an Advanced/Specialized First Aid course for an annual maximum of 2 active Hike Leaders each year. All Hike Leaders will cover the up-front costs, and after passing, submit their receipts to the Treasurer for reimbursement.

At the February board meeting each calendar year, the Board will appoint a First Aid Coordinator to document the First Aid training of Association members. This coordinator will provide to the webmaster an up to date list of those in Association who are certified in First Aid as their courses are completed during the year. This list will be posted on our Members Only website available to appropriate personnel

5. Waiver of Liability and Assumption of Risk:

The "Waiver of Liability and Assumption of Risk" form (Appendix A) will be verbally explained by the hike leader or Trail Maintenance/Building leader before being signed. This will ensure knowledge of conditions by participants and what rights they may be waiving by signing the form. The form will be read and signed by all participants before the hike or activity begins. The signed forms will be retained in storage by the Activities Director. Signed original forms are to be retained for 7 years for participants 18 years and over. Signed original forms are to be retained forever for children less than 18 years, participants with disabilities, and trail maintenance volunteers. Failure to comply with TVTA Risk management policy may result in a Hike leader's ability to post and lead TVTA sanctioned hikes. Printable forms will be available on the website

Completed forms must be submitted to the Activities Director within a month of the completion of the hike.

The form “Hike Ontario - Course Waiver of Liability and Assumption of Risk” (Appendix D) will be completed by all those participating in training courses.

6. Incident/Accident Reports and Records Keeping:

At the time of an incident, or as soon as possible thereafter, the Hike or Trail Maintenance/Building leader will complete our Association’s standard incident reporting form (See Appendix B). The form will then be filed with the appropriate Director (either Activities or Trail Maintenance) for future reference. Reports should be kept forever.

Significant incidents shall be reported in a timely manner to both our Association insurer and to Hike Ontario (info@hikeontario.com). The current version of the Incident/Accident report is available for downloading at our Association website. Hard copies of the form are available at Grosvenor Lodge, or from the Activities Director.

7. Landowner Agreements: (To be revised later)

NB – sections 7 and 8 will continue to be reviewed as our landowner list becomes updated. This updating initiative continues to be in progress as of the date of this policy review.

A verbal agreement between a landowner and the Thames Valley Trail Association shall be followed by confirming correspondence to the landowner. A copy of our insurance certificate will be provided to the landowner upon request. The Director of Trail Development is responsible for maintaining these agreements.

8. Collaboration with Landowners: (to be revised later)

There will be regular liaising with all trail landowners, private and public as part of due diligence. Regular contacts and familiarity with elected municipal officials and staff and their official plans may also reveal pending developments which could affect trails. This is also part of our due diligence. Landowners are sent a copy of our newsletter, TVTA Trekker (which may be downloaded from the website also).

Other collaborative measures which may benefit trail clubs should include having trails clearly marked in municipal official plans and park plans with the permitted uses specified e.g. “pedestrian only” or “mixed use”. Special trail club events may require additional liaising efforts with landowners.

Physical geocaches are *NOT* allowed on the trail. Our trail passes through private lands, Middlesex County, municipal roads, Komoka Provincial Park, City of London parkland, Environmentally Significant Areas (ESAs), Fanshawe Conservation Area, provincial highway 7, public golf courses, and Perth County roadways. Each stakeholder has differing policies on geocaching. Our Trail User’s Code is to stay on the trail, leaving only your thanks, and taking only photographs. Geocaches are hidden throughout Middlesex County. Call their office for further details: 519-205-4952. They provide a guide of hiking trails in the county at www.tourmiddlesex.ca/motm.

9. Association Budgeting:

The provision of monthly reports from the Treasurer to members of the TVTA board will ensure that we have adequate budgetary provision for building and replacing unsafe trail infrastructure and signage, hike leader training, and insurance coverage.

10. Insurance:

The Thames Valley Trail Association carries both general and directors' liability insurance. The Association maintains complete and accurate records in an appropriate manner. The current Hike Ontario Insurance Broker is Pearson Dunn. Any questions concerning insurance are to be sent to info@hikeontario.com (1-800- 894-7249) as Hike Ontario is the only liaison.

St. Marys Cement and UTRCA-Fanshawe will carry liability insurance within their own jurisdictions. They will be added as Additional Insured to the TVTA insurance policy. A copy of this insurance is mailed to the two Additional Insureds each year.

Pre-Hiking is covered by the insurance and considered a "sanctioned activity".

TVTA can charge a fee for a Special Event hike without compromising our insurance if the board approves and submits the hike event to Hike Ontario and Hike Ontario sanctions it. Special Events and other fees must follow the CRA requirements for charging a fee; failure to follow these requirements may jeopardize TVTA's status as a charitable organization.

All TVTA hikes must first be posted on our website calendar.

The insurance broker confirmed that events can be considered for coverage under Hike Ontario's current CGL Insurance Policy, if they are approved by Hike Ontario and underwritten by the broker on a "case by case" basis. See Appendix C: How to Submit your request to Hike Ontario.

In the event of a lawsuit, pass all legal correspondence – without comment or answer – to the insurer immediately.

Submitted by Risk Management Committee to TVTA Board for approval Feb. 2012: Lynn Brush, Judi Einarson, Karen MacKinnon, Maureen McGauley (chair)

Revised 2013 & 2014 – Karen MacKinnon, Maureen McGauley, Barb Doney, Jane Vincent-Havelka

Revised March 2016 - Barb Doney, Paulette Renaud, Jane Vincent-Havelka

Revised October 2016 – Judy Kwasnica, President

Revised February 2018 – B.Doney, P. Joosten, M. Cheesman

Revised March 2019 – M. Cheesman

Amended February 2020 - Janine Gray

Reviewed by TVTA board - March 2020

WAIVER OF LIABILITY AND ASSUMPTION OF RISK

TVTA WAIVER OF LIABILITY AND ASSUMPTION OF RISK

I acknowledge that this activity of the Thames Valley Trail Association, in which I am participating, involves risks which are beyond the control of the Association. Notwithstanding the acknowledgement of such risks, I hereby release the Thames Valley Trail Association, Hike Ontario, and their contractors, employees, volunteers, agents, assigns and executors from all claims for damage however so arising as a result of my participation in this or any other activity organized by the Association. I agree to pay the cost of any emergency evacuation of my person or belongings that may be necessary. I affirm that I am aware of the nature of the activity, the duration and degree of difficulty and that I am properly equipped and physically able to participate. I have no medical or other condition which might preclude my participation. As an adult, I accept responsibility for any person under 18 years of age in my care. I agree to follow the directions of the leader.

Leader(s):

Area of Hike:

Date & Time:

Signature	Print Name	Phone #	Emergency #	TVTA Member (Y/N)
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2.				
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Rev. 28 September 2013. Please forward completed form as soon as possible to the TVTA Activities Director.

INCIDENT REPORT FORM



INCIDENT REPORT FORM

COMPLETE AS SOON AS POSSIBLE

THAMES VALLEY TRAIL ASSOCIATION

In the event that a hiker has an accident or injury, the hike leader, with the help of other witnesses to the incident, must complete this form as soon as possible. **Submit incident report:** a) If medical attention is required or a concussion is expected. b) If the hiker does not complete the hike in the normal manner and time frame. c) If there is damage to property. d) If the EMS is activated. Submit the report to your TVTA Activities Director and club President as well as to Hike Ontario at info@hikeontario.com. Hike Ontario will pass the report on to the insurance broker. Include waiver sheet also if possible.

Hike Leader(s)/Trail Maintenance Leader(s):

Name: _____ Phone#: _____

Email Address: _____ Incident Date: _____ Time: _____

Event/Location: _____

Weather: _____

Condition of Trail at Time of Incident: _____

Witness Names: _____

Casualty Information:

Name: _____ Phone#: _____

Email Address: _____ Gender: _____ Approx. Age: _____

TVTA Member: Yes ___ No ___

Describe the Incident: _____

Describe any Injuries: _____

Describe any Action Taken: _____

Was the Subject Transported to Hospital, Clinic, or Doctor? _____

Police/Fire/Paramedic Information, Including Name, Badge#, Phone#: _____

Describe any Property Damage: _____

Report Submitted By: _____ Date: _____

APPENDIX C:

Submitting a Request to Hike Ontario

Information required by Hike Ontario (info@hikeontario.com)

To determine if Special Event Insurance is required, please provide information as follows:

- A full description of the special event
- Is it a competition/race versus a passive activity?
- Anticipated number of participants
- What % of the anticipated participants would not be members
- What safety & first aid precautions would be in place?

Additional Premium:

Special events, however, which require an additional premium, are defined as:

- being an event where a significant number of people other than association members are present
- It is a competition versus a non-competitive activity
- Hiking is not a component.

Appendix D:

HIKE ONTARIO – COURSE Waiver of Liability and Assumption of Risk

COURSE:	INSTRUCTOR:	
LOCATION:	DATE:	WEATHER CONDITIONS:

I understand that there can be risks associated with TAKING COURSES and, in consideration of the *Hike Ontario* permitting me to participate in this activity I, for myself, my heirs and personal representatives, hereby release the *Hike Ontario* its clubs, leaders, members and other volunteers from all claims and demands for any loss, damage or injury, however caused and whether or not contributed to by the course instructor’s negligence, in connection with my participation. I have read this, and am voluntarily signing below.

NOTE: We may use your email address to contact you in the future regarding hiking matters

Print name	Signature	Phone	E-mail	Emergency Contact

By signing this form, you consent to be contacted via email advising you to renew your certification prior to its expiration date (Your email will NOT be shared).