

IMPORTANT RISK MANAGEMENT NOTICE

RE: Skate Boarding Activities:

As with any School activity, it is a good idea to analyze the hazards and develop risk management/injury prevention policies and procedures to address these risks. Skate boarding, although not excluded from coverage, is not a risk typically associated with a School.

Skateboarding certainly presents some Risk Management concerns. Skate boarding presents a very real potential for injury to participants and therefore potential liability arising from such injuries. Health Canada statistics on the subject document a range of injuries suffered by Skate Boarders from Minor Abrasions and Fractures to Concussions and Head Injuries.

With respect to general risk management issues, a general practice for organizations such as Schools should be to review activities and determine appropriate and prudent methods for managing risks and whether or not activities are suitable.

With respect to Skate Boarding specifically, the insurance company who underwrites our specialized School Insurance Program assumes School boards will exercise sound loss control practices regarding any decision to allow skate boarding activities on the school premises.

The School should ensure that any proposed construction of ramps and/or “grinders” involve the services of qualified professionals, where appropriate.

The School, prior to allowing Skateboarding activities to begin, should draft and post rules conspicuously and in close proximity of any skate boarding activities or ensure all participants are made aware of rules prior to being allowed to participate such activities. It should be stressed to all participants that the rules must be followed and will be enforced at all times.

The School may want to obtain parent permission slips. We have included some comments for your review on the following page regarding designing permission slips. We can also provide you with a copy of Loss Control Bulletin, *Designing Parent Permission Slips* upon your request. Of course we can not attest to the effectiveness or validity of permission slips and/or waivers from a legal perspective. Such matters should be referred to appropriate legal counsel for a proper legal opinion

The rules developed that pertain to this type of activity should require there be supervision provided by a responsible person at all times and that approved safety equipment (helmets, knee pads, wrist pads, elbow pads) must be worn at all times.

Policies and Procedures should outline safety measures that must be in place during use of ancillary skateboarding equipment when applicable and outline regular equipment inspections and maintenance procedures. Records of inspections and maintenance should be kept on hand with back up kept off premises.

A written emergency plan should be considered to ensure all persons in a position of responsibility have read it and understand it, such persons should signed an acknowledgment form stating so. Such a plan will hopefully assist in minimizing further injury should an accident occur.

Enforcing these safety measures and following regular maintenance procedures ensures that the skate boarding equipment is an asset, not a liability, for the School.

Lastly, your insurance policy serves as your contingency plan. Should an incident occur and the School is named in a law suit alleging negligence, regardless of the merits of such an action, the School's insurance policy will respond to defend both the School as well as its employees, volunteers and officials and pay any compensatory damages awarded in keeping with policy conditions.

Designing a Permission Slip

An effective permission slip should probably contain at least some of the following items:

1. Parents or guardians should give permission for their child to participate in the activity.
2. A copy of any Rules that are in put place regarding the particular activity.
3. A statement that the student and parent/guardian have read and agree to abide by the rules.
4. Details of any unusual activities, or activities that require a certain level of skill or conditioning or present an element of risk,
5. An assumption of risk statement acknowledging the Risks or activities.
6. Some form of release or hold harmless statement. For example

“The undersigned hereby waives any and all claims and rights, including causes of legal action, which the undersigned may otherwise have against the School, its directors, officers, trustees, employees, members or volunteers, or any of them, in any way arising out of”

It may also be a good idea for the School to obtain medical history forms complete with emergency numbers.
