

UKAIG Update July 2017

UK Adventure Industry Group Meeting (UKAIG)

UKAIG is an independent steering group brought together to take forward the development of a non-statutory sector led scheme as an option to replace the Adventure Activities Licensing Service provision.

It aims to support on-going work developing a scheme whilst maintaining a clear and transparent link to sector stake holders.

HSE AALA Review

Following the HSE has undertaken a survey of the adventure sector's views and has carried out 3 sector consultation meetings in Cardiff, Glasgow and Birmingham. The UKAIG group has convened on a number of occasions (face to face and by phone) to consider the issues raised by HSE. The group has also had very positive and informative meetings with HSE.

This group includes the following members from across the UK:

Adrian Clarke – National Secretary of Outdoor Education Advisers Panel & Adventure Activity Industry Advisory Committee

John Cousins - Chief Executive, Mountain Training UK

Paul Donovan - Chair of Wales Activity Tourism Organisation

Louise Edwards - Chair of Association of Heads of Outdoor Education Centres

John Hamilton - Chair of Scottish Adventure Activity Forum

Matt Healy - member of British Activity Providers Association & AAIAC

Dave Horrocks - member of SAAF & Scottish Advisors Panel for Outdoor Education

Craig McCullough - member of Adventure Industry NI

Steve Morgan - Head of Sport Wales National Outdoor Centre, Plas Menai.

Mike Rosser - Chair of AAIAC

Andy Robinson - Chief Executive of Institute for Outdoor Learning

Elaine Skates LOtC

Martin Smith - Chair of English Outdoor Council

Catherine Williams – Operations Manager of Snowdonia Active/WATO

At its first meeting in Manchester on 24 March 2017 the group agreed the following:

“The industry, working through a group of representative bodies and individual experts, is committed to working with the HSE to develop a consistent and improved approach to adventure activity licensing in the 4 home nations. The group recognises that this is a process that requires a long term commitment to working together and is prepared to provide the expertise and industry support for the HSE”.

Industry Statement	Associated questions
Any new arrangements, following the Review (see note 3), must give at least current levels of assurance to all stakeholders (see note 4). Where are the notes?	Is it possible to achieve any new arrangements and retain assurance levels without changes being incorporated in new legislation?
There needs to be more industry (see note 1) involvement in the governance and on-going development of the Scheme (see note 2) to access the schemes potential benefits	How might the Scheme be better served by the Industry (see note 1)?
Current levels of financial investment in the Scheme should be maintained to ensure the robustness of new arrangements and realise the potential societal benefits of participation in outdoor adventurous activities.	What additional financial investment and other resources might be available to enable any transition from current to new arrangements?

We need improved flexibility in the Scheme to reflect the evolving nature of the range of adventurous activities.

To what extent does the current Scheme infer an appropriate approach to provision across the full breadth of adventurous activities provided by a License holder?

We do not recommend an extension of scope beyond commercial provision to under 18's.

Notes

1. The industry – those who provide adventure activities, advise on adventure activities, NGBs (do we want to include participants and parents – I think not)
2. The Scheme – the system(s) for accrediting adventure activity providers that results from the current Review
3. Government - a "catch all" term that might mean UK Government, Scottish Government, Welsh Government, Northern Ireland Executive, HSE etc.
4. The Review – The totality of the current process being undertaken by HSE
5. Stakeholders – Those with an interest in the accreditation of adventure activities (includes those at 1 above and also: parents, teachers, participants, elected representatives etc.)
6. The Group – The "ad hoc" group that is meeting and collaborating, on behalf of the industry, to try to determine if there is enough common ground for an industry wide response to HSE.

The HSE Review of AALA continues to progress with involvement from all areas of the industry.

The survey results from the initial public consultation were released on 19 June via webinar. To listen to the recording click on the 'View Recording' link below:

[View Recording](#) <<<<<click here

You may be asked to enter your e-mail address and company name.

Please enter your information and click view recording.

Press "Playback"

The recording will start on your computer.

Some of the key finds were:

1. A majority of respondents (57%) would like to see the licence include an assessment of quality as well as safety. According to text comments, there is demand for a streamlined system i.e. one that provides accreditation based on a range of criteria, rather than safety alone.
2. A cross-border system (entire GB and UK) is very important to respondents, with over 80% favouring this.
3. A small majority (53%) believe that fewer designated organisations should be exempt from licensing.
4. 60% believe that the range of activities that require a licence should be extended
5. Respondents valued HSE endorsement of Licencing

HSE have indicated that they believe that it would be difficult to meet most of the above aspirations through a statutory scheme.

They have made a recommendation to the HSE Management Board (has this been approved?) that they should work with the outdoor sector in this 2-year period to investigate whether an Industry Led scheme, endorsed by HSE, could replace the current statutory licensing scheme..

HSE have extended TQS's contract to manage the licensing process for another two years.

AALA review - update 12 June 2017

On 3 May 2017 the HSE Board met to discuss the findings of the initial AALA consultation. Whilst the survey results showed widespread support for AALA, respondents set out a number of aspirations for improving the system.

Prior to the HSE Board meeting, a group of industry stakeholders approached HSE with a suggestion that the current statutory scheme could be replaced with a government-backed and HSE endorsed, UK-wide, industry-owned and -operated scheme which would maintain current standards and levels of reassurance for service users. HSE recognises that there is potential for an effectively functioning, industry-run scheme to meet the aspirations of stakeholders expressed in responses to the survey, and has therefore stated its commitment to work with these stakeholders and others to develop this option further.

If the industry proposal meets criteria set out by HSE, it will be included in the consultation. HSE has stated that it could support a scheme providing it:

- a. Is underpinned by the requirements of the Health and Safety at Work Act 1974
- b. Meets the aspirations of stakeholders and has broad support
- c. Maintains current standards
- d. Provides sufficient levels of reassurance to parents and teachers
- e. Reduces the burden of red tape on business
- f. Provides better value for money for the public purse
- g. Allows mutual recognition across other comparable existing national governing body schemes
- h. Is recognised and branded as the industry standard

The HSE Board have agreed to delay the commencement of phase two of the consultation to allow the industry proposal to be developed and for a formal proposal to be submitted. HSE hope to begin stage 2 of the consultation process late 2017/early 2018.

Regardless of the outcome of the Review, HSE and Local Authorities will continue to have a role in regulation of adventure activities under the terms of occupational health and safety legislation. Current licensing arrangements remain in place. In the meantime we will continue to engage with and update stakeholders, such as service users and Government, including Devolved Administrations.

HSE have also answered some FAQ's

1) Why is the Adventure Activities Licensing Authority (AALA) being reviewed?

AALA has been a successful scheme for several years, providing reassurance to service users that providers are following sensible Health and Safety procedures, but there are a number of areas that could be improved. The AALA review gives an opportunity to look at how the scheme could be changed to ensure that it remains fit for purpose into the future.

2) When will phase 2 of the AALA review begin?

Phase two will be a formal consultation on the options for AALA and it will begin, once those options have been finalised. HSE are currently talking to industry stakeholders who have put forward a suggestion for a non-statutory scheme. HSE has agreed not to begin the consultation until stakeholders have had a chance to develop their proposal further, and has also agreed to assist them with development of the proposal. This is likely to take until the end of 2017 or early 2018.

3) What is non-statutory licensing and why is it being considered?

- A non-statutory scheme is one which is not set out in law. There are several benefits in that it would allow providers who are not currently licensed but wish to be, to opt in.
- It would also allow inspectors to look at other non-safety related criteria and it could be supported and recognised across the UK.
- None of these things are possible under the current system.
- Non-statutory schemes work in other industries when there is sufficient support from providers and end users. HSE is currently assessing whether such a scheme for accreditation of adventure activity providers would have support.
- If a suitable scheme could be developed and had support, HSE would consider this as an option going forward into the formal consultation.

4) Is AALA going to be abolished?

The review has not been concluded and no decisions will be made until the formal consultation has taken place. The AALA will continue in the meantime.

5) Do I still need a licence?

If you need a licence now, you will still need to have one. If there are to be any changes to the scheme, either through changes to the existing law or through a move to a non-statutory scheme, you will receive notification from AALA.

6) What happens if the scheme changes while my licence is still valid?

Transitional arrangements will be put in place in the event of any change. You do not need to do anything as AALA will keep you informed.

Next Steps

Members of the UKAIG met with HSE in Glasgow on Tuesday 27 June to discuss the next steps:

HSE Timeline

- HSE committed to putting together a milestones document for all parties in order to measure work streams against timelines?. Working back from a point at September 2018 when legislation changes, regulatory developments or a process of retendering would be orchestrated.
- Any proposal from UKAIG would be required in the first week of November 2017 in order to go through due process for presentation to the HSE Board early in December 2018
- The HSE Board will consider 3 proposals at this time:
 - o Sector Led proposal presented by UKAIG
 - o No Change (with regulatory changes effecting cost of license to users)
 - o AALA 'Plus' (Development of current provision to include upgraded legislation and regulation relating to scope, cost, and reach)
- The UKAIG proposal will be designed within the 8 points of reference noted above.

Work plan for UKAIG

- Provide an initial project plan to HSE for the development of a proposal at the end of Phase one (Nov 2017)
- Start a process of tendering for potential consultants that may be able to support the sector in the development of this proposal.
- Commit (with HSE) to regular communication post significant developments (Phone or Skype)

- Review current accreditation schemes and review stakeholder contributions and consultations
- Develop a worked up proposal, in line with the specification suggested by HSE, for inclusion in the HSE Board Meeting in December (submission by early November 2017 to HSE)
- Any proposal will be subject to adventure sector consultation and as such it will be clear that:
 - The proposal would enjoy government and HSE support
 - The scope of activities and the range of eligible providers will be clearly defined
 - The cost of the proposal will be detailed (both to providers who fall within scope and to the public purse – the aspiration being that the proposal will demonstrate good value to all concerned).
- Maintain a broad, pan national approach for inclusion in a well-designed scheme that meets all requirements of stakeholders