

EC-OE & (CONSUMER) SAFETY

Presentation by Dr. Herman Smulders

President of the European Confederation of Outdoor Employers

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1. Identifying EC-OE

EC-OE was created in 2008

Full Members:

Belgium (BFNO)	www.bfno.be
France (SNELM)	www.snelm.org
Ireland (ILAM)	www.ilam.ie
Portugal (Apecate)	www.apecate.pt
Spain (ANETA)	www.estiloactivo.es
Switzerland (SOA)	www.swissoutdoorassociation.ch
The Netherlands (VeBON)	www.vebon.nl

Associated Members:

Denmark (BFTL)	www.bftl.dk
Estonia	nihil
Greece	nihil

Negotiating with:

Bulgaria	
Finland	
Lithuania	
UK (BAHA)	www.baha.org.uk

Potential : max. 31 members (27 EU + 4 EFTA)



EC-OE represents

- ± 35.000 small & medium size enterprises
- ± 300.000 full time workers + numerous free-lance employees

- EOSE (2004), Vocasport, p.17



2. “Defining the Outdoors”

- The outdoor sector offers a combination of outdoor activities to its clientele such as canoeing, mountain biking, skiing, canyoning, rafting, dog sledding, hot air ballooning, etc....
- We do relate to ‘sporting activities’ in such a way that we implement or translate them, into a leisurely / educational / tourism... context: no competition, no training etc. ...

For more info please consult:

- Defining the Outdoors : www.bfno.be/files/definingthesector12022010.pdf.pdf
- “Outdoor” definieren : www.swissoutdoorassociation.ch/fileadmin/user_upload/EC-OE_Europaeischer_Verband/Defining_the_Outdoors_dt.pdf
- Définition du Plein Air : www.bfno.be/files/Définition%20du%20plein-air.pdf



Core Business = The Outdoor

- EC-OE is **not** involved in organising SPORT / COMPETITION / RECORDS / RANKINGS / REGULAR TRAINING / PERFORMANCES.
- So the EC-OE (and obviously its members) can't be considered as part of the traditional sports scene.
- Active Leisure – through the EC-OE – really claims **its unique identity**; which is an identity of 'Outdoor Employers' **organising** and **selling** 'outdoor leisure activities'.

3. Safety in the Outdoors

- Basically 2 approaches

- 1. Regulation by law: by regulating the service providers

- assuring consumer safety

- 2. Self regulation :

- because of awareness of legal provisions

- because of awareness of economic / commercial impact

- we can not afford accidents

- a safe service = good service

The latter results in many isolated 'codes of conduct' but these 'codes' are mostly focused on the 'environment': - leave no trace (USA)

- Friluftsliv (Norway)

- Natures Best (Sweden)

Safety in the Outdoors

- 1. Regulation by law

- EU directive on Product safety (1994)

- Belgium: - Royal Decree on **Extreme** Leisure Activities (2002)

 - NL.: http://economie.fgov.be/nl/binaries/19-04032002_Extreme_ontspanningsevenementen_nl_tcm325-52425.pdf

 - Fr.: http://economie.fgov.be/fr/binaries/19-04032002_Divertissements_extremes_fr_tcm326-52425.pdf

 - Royal Decree on **Active** Leisure Activities (2004)

 - NL.: http://economie.fgov.be/nl/binaries/39-KB_actieve_ontspanningsevenementen_tcm325-52669.pdf

 - Fr.: http://economie.fgov.be/fr/binaries/39-KB_AR_divertissements_actives_tcm326-52669.pdf

Finland: Finish Consumer Agency's Guidelines for the Promotion of Safety in
Program Services :

<http://www.kuluttajavirasto.fi/File/0db7cfce-bbf2-4097-8fcb-e7632e8bcb16/0/Guidelines%20for%20the%20promotion%20of%20safety%20in%20program%20services%20.pdf>

Safety in the Outdoors

- 2. Self Regulating

- Belgium: Employers federation BFNO
- The Netherlands: Employers Federation VeBON
- European Qualification Framework Outdoor Animators (EQFOA)
 - www.eqfoa.eu → Competence Framework based on 'Safety'
[http://www.eqfoa.eu/fichiers/EQFOA_Animator_Competence_Framework_\(en\).pdf](http://www.eqfoa.eu/fichiers/EQFOA_Animator_Competence_Framework_(en).pdf)
p. 4 : the bottom layer (red) = safety
 - Based on: http://ec.europa.eu/education/lifelong-learning-policy/doc44_en.htm

Other approaches:

- BFTL (DK) : ethics (= insurance, training, safety...)
- CLO2 (follow up of EQFOA) : Outdoor Ethics → environment
- Ireland & UK: vetting programs (child abuse)
- UK: Adventure Activities Licensing (-18 years)
non-statutory safety scheme 'Adventuremark'
- Etc., etc....

4. An Example of Self Regulating

As mentioned before only BFNO (B) & VeBON (NL) have developed a 'Self Regulating' safety system for the outdoors.

In the next part of this presentation Mr. Jac Loosveldt will explain in more detail the BFNO "Guidance & Evaluation System for Safe Practices in Outdoor Programs".



BFNO

[Beroeps Federatie voor Natuursport Ondernemingen]

BFNO Guidance & Evaluation System for Safe Practices in Outdoor Programs

Introduction
by
Jac Loosveldt

Brussels, June 18th 2010

Autors: Johan Hovelynck & Jac Loosveldt



BFNO

[Beroeps Federatie voor Natuursport Ondernemingen]

BFNO Guidance & Evaluation System for Safe Practices in Outdoor Programs

BFNO guidance system & evaluation system is a practical tool that:

- assists outdoor employers in complying with regulations
- identifies strong as well as weak areas in the safety practices
- works through a series of audits, consulting & feedback
- ultimately leads to a 'Approved Safety Practices' label
- is endorsed by the Belgian government as a 'code of conduct' for the outdoors

http://economie.fgov.be/nl/binaries/39-Vragenantwoorden_tcm325-29817.pdf

http://economie.fgov.be/fr/binaries/39-Questionsreponsesdivectifs_tcm326-29817.pdf



Goal of the guidance system

To contribute to the protection of

- Participants (consumers)
- Staff (employees & volunteers)
- Program Managers (supervisor)
- Third parties (spectators...)
- Environment - nature



Background of the guidance system

Initially:

- (proposed) Belgian legislation on Extreme & Active Leisure activities (2000 and later)

Further background:

- Field experience & relevant literature
- Already existent laws: ARAB (1952), Decreet op Medisch Verantwoorde Sportbeoefening (1991)
- Guidance systems in use: e.g. Association for Experiential Education
- Development of regulation Consumer safety



Design and structure

- List of attention points, to be considered to achieve and document a well-founded safety and environmental policy
- Grouped in 3 parts:
 - General information about the organisation
 - **Safe practices**
 - Environment (outdoor ethics)



Safe practices

- Management systems *
- *Risk handling: prevention policies*
 - Per activity
 - According to input factors such as:
 - Staff * - Equipment - Installations - Terrain
 - Transport, food, accommodation
- Emergency plan: 'accident response'
- Field documents (*site plan*)

Blue colour = explicitly mentioned in the Belgian law



Management systems

- Company data
- Documentation of relevant legislation
- Snapshot of :
 - activities - target groups - locations
- Database of staff: training, clearance etc
- Internal follow-up of incidents & accidents
 - *Obligation of reporting incidents & accidents*
- Insurance



Staff:

- Clear responsibilities & qualifications
- Employees - hired - volunteers - trainees
- *Safety coordinator: one person responsible*
 - Familiar with the activity & the site
 - Adequate *instruction & surveillance*
 - Prepared for first response in case of accident



Emergency response

- Staff: training, preparedness
 - Safety coordinator
 - Communication protocols
- Equipment: first aid, evacuation, communication...
- Sites & Installations: access ?
- Transport: availability, *site plan...*
- Accommodation:...
- ...



BFNO 'Approved Safety Practices' label



- Contract & procedures apply
- Restricted validity:
 - 3 years
- Renewal requires new audit and follow-up of recommendations
- Use of logo according to protocol
- www.bfno.be
- audit@bfno.be



Advantages:

- Improvement of safety (& care for the environment)
- Quality assurance for the customers and staff, confidence for the operator
- “Self-policing” restricts imposed measures
- Respect as partner in exchanges with government agencies, landowners, insurance companies...
- **Quality assurance for third parties**

End of presentation (slides 11 – 21) by Jac Loosveldt

5. CONSUMER SAFETY

- → **QUALITY ASSURANCE FOR THIRD PARTIES**

- The need for safe outdoor activities is great, particularly in the sector of TOURISM.
- **Many outdoor companies work as sub-contractors for:**
 - **Tour Operators**
 - **Incentive Agencies / Event Organisers**
 - **Hotels**
 - **etc.**

How do these contractors know if an 'outdoor activity' is safe ?

How do these contractors know if the sub-contractor provides a safe service ?

What about liability ?

In SUM : what about the individual 'CONSUMERS' safety ?

CONSUMER SAFETY

- → What are the legal consequences ?
- Consider e.g. a Spanish Incentive Company organising a Canoe trip in Belgium.

Which legislation is applicable : EU: Yes (always)

Spanish: Yes (you made a contract)

Belgian: Yes (the host country)

- Are you sure ?
- Can you be sure ?
- Who can tell you ?

6. CONSUMER SAFETY : COORDINATION AT EU LEVEL ?

- The EU legislation on ‘service safety’ is not decisive
- Local National legislation (if any) is not known abroad (Dolceta might be a good tool) : www.dolceta.eu
- There are (can be) huge liability problems
- Mobility in the EU is an important issue : for both Consumers & Service Providers (Active Tourism)

CONSUMER SAFETY : COORDINATION AT EU LEVEL ?

- EC-OE senses a need for coordination at EU level
- EC-OE is not asking for strict EU legislation
- EC-OE strongly believes in **SELF REGULATION**

- Our aim is an EU '**Code of Conduct**' for the outdoors in order to:
 - 1) help the outdoor service providers to offer safe programs
 - 2) guarantee safety to the individual consumer

7. Code of Conduct

- EC-OE will continue to invest on Safety
- EC-OE is prepared to share its experience, knowledge & expertise

➔ BUT

- To be effective on a larger EU scale we need your support

➔ Support is **NOT** = money !

8. Request for EU support

- Essential support could be focused on:
 - ➔ Research
 - ➔ Dissemination
 - ➔ Validating a label 'Code of Conduct'
- Immediate action request by EC-OE :
 - ➔ Collecting data on National safety programs
 - ➔ Collecting data on 'Outdoor companies' in the EU countries.

Contact

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