

## Amateur Swimming Association

### Health and Safety Forum

#### Minutes of meeting held on Wednesday, 3<sup>rd</sup> November 2004 at the Jarvis Hotel, Loughborough

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##### Present:

Dr Phil Penny	Chairman	(PP)
Mr Andy Gray	Head of Legal Affairs	(AG)
Mrs Jill Stidever	Disability Swimming	(JS)
Mr Noel Winter	Facilities Officer	(NW)
Mr Paul Dudley	WCASA/Diving	(PD)
Mr Alan Boyle	NCASA/Water Polo	(AB)
Mr Dennis Freeman-Wright	Health and Safety Consultant	(DFW)
Mrs Josie Grange	Swimming	(JG)
Miss Jane M Nickerson	Director of Membership Services & Resources	(JMN)

##### Apologies/Absent:

Mr Alan Capstick	Open Water	(AC)
Dr David Hunt	Medical	(DJH)
Mr Roy McAlister	Masters	(RA)

		Action
<b>1.</b>	<b>Approval of minutes of meeting held on 31<sup>st</sup> March 2004</b>	
1.1.	The minutes of the meeting held on 31 <sup>st</sup> March 2004 were approved as a true record of that meeting.	
<b>2.</b>	<b>Nil Accident Returns</b>	
2.1	Agreed that clubs should be asked to make their return in December. Reminders to be sent with the renewal information.	JMN
<b>3.</b>	<b>Health and Safety Officers</b>	
3.1	The meeting noted that clubs are finding it difficult to source volunteers willing to take on this role and that some are finding it easier to appoint them as Specialist members who do not have to attend committee meetings. The meeting endorsed a flexible approach to this to encourage volunteers to become involved in this area.	
3.2	A training module is now available and Dennis Freeman-Wright and Noel Winter will undertake training initially for County representatives. The organisation of such training is the responsibility of the Volunteer Strategy Co-ordinator, Matt Sturgess (MS). Representation to be made to Matt Sturgess for this training to be carried out as soon as possible. ASA Certification of competence to be issued to all attendees who successful complete the training.	JMN MS
3.3	The meeting agreed that training should take place in swimming pools as there is a practical element to the training. Facility Operators to be asked to provide facilities free of charge in return for free places on the training course for their staff.	MS

3.4	It was agreed that additional trainers should be sourced to ensure a comprehensive roll out of the programme.	NW/DF-W
<b>4.</b>	<b>Medical Forms</b>	
4.1	Mr Winter advised that work on verifying and consolidating the medical forms is nearing completion and that he will submit the revised form to the insurers for approval.	NW
<b>5.</b>	<b>Open Water</b>	
5.1	The meeting noted that at present the British Government and a number of other European Countries have not accepted the European Bathing Water standards. The Open Water Committee currently liaise with facility providers who provide water tests prior to events and advise the Health and Safety Officer of any concerns. The meeting agreed to maintain a watching brief on developments from Europe and the British Government.	PP
5.2	It was noted that the method of measuring water quality in open water is substantially different from that used in swimming pools. In swimming pools it is a measurement of how effective the disinfectant process is in killing or curtailing the harmful bacteria, germs etc. whilst in open water it is a matter of measuring the presence of harmful bacteria, germs etc.	
<b>6.</b>	<b>SIDS</b>	
6.1	The basic document is now complete but it has been agreed to defer publication of the document until the training programme for Health and Safety Officers is underway.	
<b>7.</b>	<b>Wavelength</b>	
7.1	Noted that the article on the work of the Health and Safety Forum had been published in the December 2003 edition of Wavelength. Copy to be forwarded to Dr Penny	JMN
<b>8.</b>	<b>Pool Gases</b>	
8.1	Dr Penny reported that there is ongoing concern regarding this issue and some experts are now considering that whilst pool gases in swimming pools may not cause asthma they may emphasise the condition in those with a tendency towards the condition.	PP
8.2	Dr Penny informed the meeting that he is working with a scientist commissioned by PWTAG to undertake tests at a number of London pools. The tests are taking the atmospheric conditions at the facilities into consideration alongside the analysis of water. The tests are currently being analysed under laboratory conditions at present but early indications are that the levels of gases are far lower than those reported in Belgium in early research articles. Dr Penny to consider monitoring this topic.	PP
<b>9.</b>	<b>Swimmers with Epilepsy</b>	
9.1	The original resource paper on this topic has not yet been located. Jane Nickerson to undertake further investigations regarding its whereabouts.	JMN

- 9.2 Various organisations have been approached regarding this matter but it appears that little, if any, recommendations are available. The meeting agreed that further research should be undertaken but that any guidelines put in place should be for the care and management of able bodied swimmers with epilepsy rather than for those involved in disability swimming. The meeting acknowledged that the disability swimming section manage the care of swimmers with epilepsy in the same way as they manage the care of all medical conditions i.e. against an individual risk assessment of each swimmer on the programme. Noel Winter to obtain information from the ISRM on this topic. NW
- 9.3 The meeting agreed that information on the Education PE Guidelines and from BALPE should be obtained. Josie Grange to obtain this information. (Copy obtained and attached.) JG
- 10. CCPR – Health and Safety Forum**
- 10.1 Noted that this forum is in existence and that Andy Gray will be invited to attend or to send a substitute.
- 11. Review of insurance cover for teachers operating in ASA affiliated clubs**
- 11.1 The meeting reviewed a paper produced by the Director of Education which will be considered by ASA Committee at the end of November. The paper was drafted following discussions with the ASA Insurance Brokers who have advised that swimming has to take responsibility for “managing” their risk and setting guidelines for the perils which are acceptable and which will protect the insurance policy in the longer term.
- 11.2 The meeting agreed with the concept of ensuring that by 2006 all “new” poolside helpers are qualified and that by 2010 all poolside helpers, including those existing experienced helpers, are qualified. The meeting emphasised the need to ensure that there are sufficient affordable courses available.
- 11.3 The meeting felt that it should be made clear that there is an ongoing requirement for facility operators to continue to hold the overall responsibility for life guarding duties.
- 12. Review of the report and recommendations from the recent legal case involving an ISTC member in Blackpool.**
- 12.1 The meeting received a report from Mr Freeman-Wright who advised that the Council had pleaded guilty from the outset and had been fined £120,000. The Council agreed that they had failed to apply the relevant guidelines
- 12.2 The case against the Teacher collapsed as the Prosecution failed to establish a reasonable case. This therefore resulted in the presiding Judge instructing the Jury to return a verdict of not guilty. Whilst this was obviously a desirable result for the Teacher concerned, she had not been given the opportunity to state her case and therefore a number of issues were not explored.
- 12.3 It was noted that a review of current guidelines is being undertaken by the Director of Education and that these should be re-circulated when available JL

12.4 It was agreed that clubs should be reminded to ensure that swimmers are counted in to the lesson / session and back out again and that this is recorded in writing and signed off. It is also essential to establish who is in overall charge of the group.

JL

**13. Outline of the responsibilities of staff with regard to Health and Safety.**

13.1 Dennis Freeman-Wright explained that he is employed on a consultancy basis as follows:

To supply advice and support to ISTC members on employment issues, grievance and disciplinary issues and health and safety issues relating to their employment.

To cover general health and safety issues as directed by the ASA, to include:

Attendance at the Health and Safety Forum; chairing the staff Health and Safety Working Party; carrying out written risk assessments on all ASA/ISTC facilities and working practices; annual health and safety audit of all ASA/ISTC facilities, advising on any Health and Safety developments; risk assessments of events when required; risk assessment on new employee activities; production of relevant documentation.

Examples of the type of query he deals with were provided to the meeting which include:

The problems teachers experience with their voices which emphasises the need for public speaking courses to train teachers to project rather than shout to protect their voice.

Queries relating to teachers qualified to one level being asked to teach at a higher level and therefore outside their terms of reference.

13.2 Noel Winter explained that he provides advice on health and safety to a wide variety of clients including Clubs, Solicitors, Architects, general public, other organisations etc.

Examples of the type of queries he deals with were provided to the meeting which include:

Whether children should be allowed to wear goggles in learn to swim sessions.

Issues relating to facility providers not allowing the Competitive Start Award to be taught.

Issues relating to pool temperatures in relation to teaching young children and babies.

Level of chlorine in pools.

13.3 Andy Gray explained that as a qualified solicitor his role with regard to health and safety is to provide legal assistance to the Health and Safety experts

He is also responsible for the co-ordination of related issues such insurance.

- 13.4 Jane Nickerson explained that she is the named ASA “competent” person with regards to Health and Safety and ensures the policies and structures are in place and that personnel with the relevant Health and Safety expertise are in place to ensure compliance.
- 13.5 Dr Penny explained that is now the ASA Health and Safety Medical Advisor on a voluntary basis and is working on a list of topics issued to him by the Chief Executive.
- 14. Audit of Premises**
- 14.1 The meeting noted the audit reports submitted by Dennis Freeman-Wright and agreed that there was no cause for concern as there is a responsible attitude to reviewing the risk assessments and making changes to structure and working practices as required.
- 15. Disability Discrimination Act**
- 15.1 The meeting noted that an audit of all premises is to be undertaken to ascertain work needed to be carried out to ensure compliance with the new legislation. JMN
- 15.2 Josie Grange advised that she is due to attend a training course in the New Year and will feedback any relevant issues to the Forum. JG
- 15.3 The meeting agreed that there is a need to develop guidelines for clubs regarding the changes in the act and that a the Sport England guidelines may be helpful. JMN
- 16. Swimming in cold water**
- 16.1 The ongoing issue of Hampstead Ponds was discussed in detail. It was noted that a club, affiliated to the Southern Counties ASA, has now been formed. Dr Penny advised that it is difficult to ascertain the number of deaths resulting from sudden immersion in cold water as death from hypothermia takes place some hours after the activity and therefore is not always related to the activity.
- 17. Insurance**
- 17.1 The meeting noted that a list of excluded activities has been drawn up and agreed with the Insurance brokers but that this is an indicative, not exhaustive list.
- 17.2 The Head of Legal Affairs has drafted a paper which will be considered by ASA Committee in November recommending that clubs be asked to contact the ASA to advise of any activities they undertake outside their core role and which are as hazardous as the activities on the exclusion list. A group formed of members of the Health and Safety forum to be formed to review the information, carry out a risk assessment and determine if the activities are to be approved to take place under the ASA insurance policy or if the club should be advised to take out additional insurance. AG
- 17.3 The meeting agreed that providing the above paper is approved clubs should be asked to provide details of their core activities and those clubs who do not regularly provide open water swimming opportunities should be asked to advise of any irregular open water swimming activities. JMN

**18. Sudden Arrhythmic Death Syndrome**

18.1 Dr Penny advised that there are still some organisations trying to insist that all children are tested for this prior to taking up exercise but the majority understand that the condition is so rare that the cost and logistics of this is impractical.

18.2 There are approximately 400 deaths per year from this and as it tends to run in families it is advisable to test children whose parents or siblings have either died from this or have suffered from an unexplained loss of consciousness during exercise.

**19. Dates of next meetings**

19.1 Wednesday, 6<sup>th</sup> April 2005

19.2 Wednesday, 2<sup>nd</sup> November 2005