

## **The Law and UKA Race Licence Standards 2014**

### **Some advice to Race Directors and organisers of events.**

In the last few months BARR has received feedback from its Race Scrutineers which would suggest that a number of race and event organisers are finding it difficult to understand some aspects of the UKA Race Licence Standards requirements in relation to:-

- 1) GENERAL RISK ASSESSMENT**
- 2) MEDICAL RISK ASSESSMENT**
- 3) CHILDREN'S ACT / UKA GUIDANCE ON WELFARE AND SAFEGUARDING MATTERS**
- 4) EQUALITY ACT 2010 (ex DISABILITY DISCRIMINATION ACT 2010)**
- 5) THE FOOD HYGIENE REGULATIONS 2006**
- 6) WATER HYGIENE REGULATIONS MUST ALSO COMPLY WITH WATER SUPPLY (WATER FITTINGS) REGULATIONS 1999**
- 7) THE GOOD PRACTICE SAFETY GUIDE FOR SMALL AND SPORTING EVENTS TAKING PLACE ON THE HIGHWAY, ROADS AND PUBLIC PLACES**

The purpose of these notes is to offer some comment, clarification and explanation regarding aspects and issues most frequently raised in these discussions.

We hope that you find them useful but if there are issues that are not covered (below) then please do not hesitate to contact BARR. We are always available to help.

### **1. General Risk Assessment**

Whilst many race directors and event organisers are now confident in undertaking a risk assessment of their course, not all appreciate that they are required by both UKA and the law to undertake a risk assessment of 'the complete event'. That means from the arrival of competitors and spectators at to the time they leave, bearing in mind any traffic implications resulting from your event taking place.

For example:-

Are you aware that if you are using a park or school grounds then as soon as you take over that area you become responsible for everything that happens within the environs - from accidents to lost children, etc.

If you are using a sports centre you will be responsible for everything that happens within that building and its immediate environs unless you have made specific and written arrangements with the centre for certain areas and aspects to be excluded from your responsibility.

**When negotiating a contract to hire a building or area, always clarify, in writing, what are YOUR areas of responsibility and then ensure that all are fully covered within your risk assessment.**

## 2. Medical Risk Assessment

### A Medical Risk Assessment must be undertaken for every event

All race organisers are required to undertake a medical risk assessment as part of their application for a road or multi-terrain race licence.

This should be in conjunction with your medical provider e.g. St John, British Red Cross. Let them lead on this as they are deemed to be the 'experts' in this area once you have advised them of your race dynamics - no. of runners, make-up of field, course, expected weather conditions, previous incidents etc.

Race organisers are required to provide details and justification to UKA for any departures from the recommended Minimum Licence Standards.

UKA Road Race Medical Guidelines can be found in the 'Useful Downloads' section within the Race Directors Club at [www.runbritain.com](http://www.runbritain.com)

## 3. UKA Guidance on Welfare and Safeguarding Matters

**The UK Law states that 'a child'** is anyone who has not reached their 18th birthday. 'Children' therefore means children and young people throughout this document.

- a) If you have a race for children as part of your event, you must ensure that at least one of the person/s responsible for the race have been CRB checked – and you have evidence within your event risk assessment.
- b) Lost children -1 You must have a policy and procedure in place that ensures that they are supervised by at least two adults - at least one of whom is CRB checked.
- c) Lost children -2 Your policy must cover **ALL** lost children even if they have not come with a runner or their family! (you have a legal responsibility for the welfare of spectators)
- d) As mentioned in previously, as soon as you take over a Park, School Grounds or a Sports Centre **you have responsibility for lost children.**
- e) The Children's Act applies up to the age of 18 years. Technically this means that in many open road races you will have "children" competing in an adult race!
- f) You must ask for a signature of consent from the parent or guardian on the entry form.

There is a growing concern in using young children at drinks stations. If they are with their parents than they will take some responsibility for them BUT you as the race organiser still have a duty of care and this should be covered within your risk assessment.

Another concern is when using scouts or other groups of volunteers at drinks stations. Did you, as the race organiser, get assurances from their organisation of parent or guardian permission to undertake their duties? You still have a duty of care and should cover this within your risk assessment.

Another concern with having small children at drinks stations is their size and the ease in which they could be knocked over. BARR and UKA recommends that small children or children under 12 years old should not be used to hand out refreshments at drink stations.-

Guidelines regarding UKA guidance on Welfare and Safeguarding matters, can be found at <http://www.uka.org.uk/governance/welfare-and-safeguarding/>

#### 4. Equality Act 2010

- a) The Equality Act covers **ALL** people that are disabled. Do not just consider athletes in wheelchairs. It therefore relates to a whole range of disabilities e.g. **Blind, Deaf, Dyslexia, Autism (Autistic Spectrum Disorder) Down's Syndrome, Epilepsy, Tourette's Syndrome, Asperger's Syndrome, etc.** Banning a certain group/s of people **is acceptable** as long as you can justify that your action had valid reasons. Your decision could be challenged in a court of law and some race directors can testify to this!
- b) Have you considered if your course is suitable for the disabled athletes?
- c) Have the police advised that your course is not suitable for certain disabled athletes?
- d) You should always undertake a disability risk assessment; include that in your main risk assessment file and have that available on race day in case challenged by a competitor. Remember, if challenged this could be tested in court!
- e) If you have a partially sighted athlete you may need to arrange for a large print copy of both the entry form and other documents as issued to other entrants.
- f) If you have wheelchair athletes have you arranged for suitable toilets for both the disabled athlete and/or any expected disabled spectators?
- g) Decisions are based on what is deemed to be reasonable so,,,,, “what constitutes reasonable?” Many potential issues and problems can be avoided if both the event organiser and the would-be entrant act reasonably beforehand.
- h) The organiser should indicate that their entry form clearly and specifically invites any competitor with a disability to contact the event, in writing and well beforehand, indicating the nature of their disability and any special requirements or needs they may have at the event. The organiser can then outline what the event can/cannot reasonably offer and how they will try to accommodate them. It is then up to the entrant to accept or decline. By pre-empting the situation both parties can avoid unnecessary problems. Remember, the emphasis is on the race organiser trying to accommodate the entrant, not placing unnecessary barriers in their way.
- i) It would be reasonable for an able-bodied competitor, to advise the event well in advance that they will have a disabled spectator with them and would like details of accessible parking near the start/finish area, disabled toilets etc.
- j) All parks, schools or a sports centre are required to have, by law to have parking for the disabled but if the event is held elsewhere it would be good practice to find out where the nearest parking and toilets are located - just in case you or your marshals are asked.  
<https://www.gov.uk/government/publications/equality-act-guidance>

#### 5. Food Hygiene Regulations 2006

We are frequently asked “where do I stand on providing food at my event?”. So, like most things now is “do a risk assessment” and ask yourself some questions:-

- Do I want/need to provide food?

- If I provide food do I keep to commercially purchased food e.g. chocolate bars, canned & bottled drinks?
- Do I want a commercial company to provide the food?
- Do I use the race venues food facilities?

If you are using a school, sports centre or outside caterer it is the responsibility of the event organiser to check if they have a food hygiene certificate.

You should always check its date and coverage and take a copy for your risk assessment file.

If you are going to use a commercial company to provide the food or the race venues food facilities then you must have copies of any correspondence outlining what services they are providing and any relevant food hygiene certificates in your risk assessment file (*which you will have available on race day*)

If you are providing food then it's recommended that at least one person in charge of the food must have a food hygiene certificate and this must be clearly displayed.

You must put in place 'food safety management procedures' based on the principles of HACCP (Hazard Analysis and Critical Control Point). You must also:

- keep up-to-date documents and records relating to your procedures
- review your procedures if you change what you produce

If you are unsure on any of the food regulations then you can contact your local Environmental Health Officer. WHO IS BASED WHERE \_ COUNCIL???????? Advice is also available from: <http://www.food.gov.uk/multimedia/pdfs/publication/hyieneguidebooklet.pdf>

## 6. Water Hygiene Regulations

If you are using mains drinking water supplies you must also comply with Water Supply (Water Fittings) Regulations 1999 [www.wras.co.uk/](http://www.wras.co.uk/)

**WHAT I AM SUGGESTING IS THAT THIS IS IN THE LICENCE STANDARDS 2014 AND A RD'S NEED TO BE AWARE THAT IT'S THEIR RESPONSIBILITY TO "CHECK" THAT THE WATER IS OK!!**

- Have you checked that the water to be used is safe to drink? Also, will the cups and water containers be suitably cleansed?
- Will all water station personnel be aware of the basic food hygiene e.g. any cuts must be covered with waterproof dressings. It is recommended that disposable gloves be used at water stations.

## 7. The Good Practice Safety Guide for Small and Sporting Events taking place on the Highway, Roads and Public Places

- With such a long title it may sound a little daunting but is in fact a clearly laid out document which contains many of the requirements you will be familiar with as they appear in the Race Licence Standards. It is however, worth noting the following:-
- Other events in your area which may affect your event. Regional Panel Chairman know about other races but what about events like carnivals, open days, marches, church services etc.

- c) Produce a Traffic Management Plan for the safe and effective movement of all attendees of your event. Although for most races this will be minimal, if you have not considered the traffic implications your event could pose potentially serious disruption and road safety concerns. **The responsibility for public safety on the highway rests with the race organiser.**
- d) Police and local authority involvement at the earliest opportunity, nowadays more often via a Safety Advisory Group\* (SAG). Keep a written record of meetings and less formal meetings as these will form a valuable part of your risk assessment.
- e) On occasions, it may be necessary to obtain a road closure. Advise your SAG\* giving at least 3 months' notice and request a 'Temporary Traffic Regulation Order.' You will need to consider traffic diversion routes and have contingency plans to permit passage of emergency vehicles.
- *\*Safety Advisory Groups (SAGs) are usually chaired by a local authority and contains representatives of the emergency services and highways plus any other 'experts' at the discretion of the Group (e.g. property owners, voluntary groups, planning officers)*
  - *Where SAGs are not set up, application should be to your local authority.*

We hope the above will be of help.

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