

Analyze, Manage, Inform

By Charles R. Gregg LLB

The rhythm of this title is vaguely reminiscent of "They're coming to take you away ha ha" of a number of years ago. The message is quite different. The chances of their "taking you away" will, I hope, be minimized by a thoughtful reading of what follows.

The issue is risk management and a broad overview of a process for achieving such management.

1. Analyze

The process begins with analysis.

a) First, what are you doing or planning to do? Such an analysis includes an identification of the activity and also the hazards of the activity, its risks, and possible outcomes. The activity, for example, might be rafting. Hazards would include the water and obstructions under, on and over the water (in addition to environmental hazards, such as weather, which would be the subject of another analysis). The risks include being struck by any of those obstacles, and falling into the water (and exposure to the environmental hazards). Possible outcomes include cold water immersion, entrapment, being struck by any of the obstacles, and, of course, drowning.

Such an analysis of what you are planning to do, or did, will certainly be made by your adversary in the event of litigation; and in any event, should be a part of the information which you provide to any proposed participant.

b) Next, analyze why you are doing what you are doing or planning to do. Is the activity, with its attendant hazards, risks and possible outcomes, consistent with your mission, goals and strategies. This presumes that you have some clear purpose in mind for your program. Do the risks exceed those necessary to achieve your mission? Teaching effective judgment and leadership for future outdoor experiences compels exposure to risks that an exercise in corporate team building does not. If your risks exceed those necessary to accomplish your mission, why are you exposing your participants to them? Explanations might include - and they are not very good ones - the stimulation of your staff, attractive new markets in foreign (strange) places, and acceptance of profitable populations for which your staff is not trained.

c) Finally, which of your activities - again, with their attendant hazards, risks, and possible outcomes - do you choose to retain, modify or eliminate. I have presented elsewhere the "Risk Square," one axis of which measures the frequency of an undesired event and the other, the severity. A frequent and severe outcome compels the elimination of the activity. Low severity and low frequency indicate an acceptable activity. The other quadrants indicate caution and further investigation.

2) Manage

Having reduced or modified your activities and risks to those which are properly aligned with your mission and the capabilities of your staff and the environments in which you work, the next challenge is to manage those risks.

Risk management has two aspects - the first has for its purpose the protection of the client and staff - injury and loss of life or property. The next has for its purpose the protection of the financial and property resources of the organization, and its reputation.

a) Management of losses to clients and staff involve fundamentally what you are doing, where are you doing it and who is doing it. The analysis might also be divided into environmental issues (terrain, gear, activity, and weather) and human issues (attitudes, physical conditioning, communication, morale, group maturity, etc.).

More specific topics for minimizing risks to participants would include: the quality of your exchange of information with a client, including disclosure of risks to be anticipated; emergency protocols (including stabilization of the situation in the field, notification of authorities, dealing with the media and family, etc.); the environment (including weather, the medium of travel, and premises issues); your customary practices and policies (including the most sacred of your sacred cows); records (risk allocation documents, course logs, peer reviews, incident and near miss reports, equipment logs, health records, etc.); administration (logistics, staff morale); staff (hiring, qualifications, training and supervision); and screening and supervision of participants.

b) Management issues for the protection of the finances, property and reputation of the organization overlap with some client protection areas (Publishing information about the activity and collecting information about the participant allows the organization to better defend itself if it is accused of surprising the participant, and is certainly beneficial to the organization when and if it becomes necessary to deal with the participant in the field). More pertinent, however, in this area of protection of the organization, are various methods for allocating financial and legal responsibility, including waivers, releases, assumption of risk and indemnity agreements, and incorporation. Also important is the effective use of professionals, including lawyers, doctors and insurance agents, and a productive and competent staff.

c) The effective management of risk certainly includes a risk management plan, which would include the analysis described above, documentation of such

analyses and strategies, and the implementations of the plan, including the appointment of a director, establishing written operating procedures, education of the staff, the involvement of the Board, the maintenance of forms, the collection and sharing of data within the industry, and frequent assessment, A risk management plan should include an accepted and proven methodology for trip planning and analysis.

3) **Inform**

The third and final step in this approach to risk management is to inform participants (and the parents of minors) about activities, hazards and risks to be encountered. This may be by means of catalogues, videos, letters and pre-activity discussions and should include a continuing dialogue with the potential and actual participant, from the earliest contact to the final goodbye. The purpose is to reduce the surprises, and to allow an intelligent, informed and contemplative decision about participation in your activities.

I started with a somewhat dated song refrain. I will end with my own jingle:

“Analyze, manage, inform,
analyze, manage, inform,
so the chances you take
match the promises you make.
Analyze, manage, inform.”

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Wilderness Risk Management Conference Proceedings

