

Student Event and Activities Risk Management Policy (SERMP)

Approved by Senior Management Group May, 2006

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1. Preface

Life within a university community involves risks. Risks are associated with going to social events, participating in recreational activities, living in a residence building and many other components of student life. Risks can often result in accidents, and bring harm to people, property and a university's reputation. Accidents, although unintentional, can have an immense impact on various members of the university community, and can affect the lives and futures of countless individuals.

It is the responsibility of all students, faculty, staff and student government bodies to be familiar with and to follow this policy. Non-compliance may result in the administration of appropriate sanctions.

1.1 Risk Management Definition

Risk Management – the process of planning, organizing, and controlling resources and activities to minimize the adverse effects of accident losses. This entails identifying risks and potential dangers, examining risk management techniques, selecting and implementing the chosen techniques, and monitoring and improving the program as needs change.

Student Events and Activities Risk Management Policy (SERMP) – the incorporation of risk management procedures during student-run events. SERMP aims to protect students, student organizations and members of the campus community from harm, financial liability and legal recourse.

This document outlines the risk management policies and procedures that regulate all student organized events at the University of Windsor.

1.2 Purpose

The strength of SERMP is solely dependent on the ability of all student groups to adhere to the enclosed regulations and requirements. SERMP exists to address issues of risk within the campus community. SERMP policies and procedures have been developed to demonstrate that students can effectively and responsibly monitor and safeguard their own events, and reduce the risks associated with student-run events. While it is not possible to avoid risks and incidents entirely, there are proactive measures that can be taken to reduce the likelihood of injury or damage during student events.

1.3 Objectives

The Student Event and Activities Risk Management Policy exists to:

- Protect the health and safety of all members of the University community;
- Inform student groups about the necessity and importance of risk management;
- Provide guidance for safe and responsible events;
- Ensure event organizers are taking the necessary precautions to minimize any potential risks during student-run events; and
- Ensure accountability of Primary Organizer.

2. Risk Assessment/Liability

2.1 Risk Assessment

If you are planning an event you will need to review the levels of risk as outlined below and provide this level of risk on the Student Event/Activity Approval Form. In the interest of keeping the process simple for event organizers, events can be classified into two categories: High and Low.

As a general guide, events may include but are not limited to, the following under each risk category:

- **HIGH** – events that involve alcohol, transportation, physical activity, out of country travel or a new event
- **LOW** – events without alcohol service, all-age events held indoors

2.2 Liability

When you are planning an event, it is important to consider that the following individuals and/or organizations could be held responsible for event incidents:

- The Primary Organizer
- The event planning committee (staff/volunteers/security persons, etc.)
- The student group (executive and members)
- The organization responsible for the student group
- Respective Student Government
- The University of Windsor

However, there is potential that anyone involved in the planning and implementation of an event could be held responsible for any accidents or damages that were incurred.

2.3 Factors of Consideration

If a group or organization is held legally liable for an incident that occurred during an event or activity, several factors will be taken into consideration:

- **Approval Process** Did you follow the approval process? Did you obtain all of the appropriate approvals?
- **Duty of Care** Duty of Care is a legal principle in Canada. It simply means that you have a legal obligation to care for people, especially when they are present at an event you have organized.
- **Foreseeable Risk** Did you plan for foreseeable risk? If underage students are exposed to an event where alcohol will be served, is there a possibility that underage drinking could occur?
- **Reasonable Steps to Reduce/Eliminate Risk** If there was a possibility that someone could get injured, what reasonable steps were taken to reduce or eliminate that risk? No one can completely reduce or eliminate all foreseeable risk. However, have you taken reasonable steps to curtail the risk of people injuring themselves or others?
- **Ignorance is no Defense** Saying that you were elsewhere when the incident occurred is no

defense. As an event planner, you are responsible for the safety of others, whether you were witness to the incident or not.

- **Criminal Action** There have been many debates as to whether or not underage drinking is a criminal act. It is certainly illegal. When asked to consider whether they would honour a suit arising from underage drinking, many insurance companies said they would not.

3. Event Management

The use of risk management strategies and techniques by all members of the university community can help ensure that all events, both on and off campus, are organized and implemented in the safest possible manner. Student groups should be aware of the risks associated with an event prior to embarking on the event planning process. Student groups should meet with faculty or staff advisor and/or student government representative to discuss their event plans.

3.1 Event Approval

Student groups must ensure that their events have been approved by the appropriate faculty or staff advisor and/or student government prior to finalizing their event. **The level of risk associated with an event as well as the precautions taken to manage the risk will play a large part in determining whether or not the event will be approved.**

Procedures for Event Planning Approval (based on your applicable group) Applicable Groups

1. Student Societies and ratified student clubs will be required to follow the approval process developed by their respective student government i.e. UWSA, GSS or OPUS;
2. Student groups functioning within the residence system must have their events approved by the Department Head, Residence Life;
3. Student groups under the umbrella of Athletics and Recreational Services must have their activities/events approved by the Director of Athletics and Recreational Services or designate within that area;
4. Student groups that are not ratified and therefore do not fall under the purview of any student government (volunteer, ad hoc groups, academic class) must receive event approval through the appropriate sponsoring academic or administrative unit. In this case the protocol to be followed will be:
 - Completion of the Student Event /Activities Approval Form (Appendix A) to be submitted to the department for determination of risk and confirmation of risk assessment.
 - If the risk assessment is "high" then the completed Student Event /Activities Form must be forwarded to the Assistant Director, Procurement and Treasury for approval.

If the appropriate approval process is not followed or if the event is not approved, neither the University nor any of its officers, governors, or other employees, officers, directors will be liable for any loss, damage or injury which may result from the event.

3.2 Risk Management Training

It is required that an in-depth training session be held each year addressing issues of liability, event planning, alcohol and human rights policies, as well as student event and activities risk management policies and procedures. The Primary Event Organizers should be included in this training session. Training will be the responsibility of each of the above-noted groups outlined in Section 3.1. The Finance Department will be responsible for Group 4 in Section 3.1.

3.3 Documentation

Event waivers and contracts (Appendix B) must be utilized when requested and will help protect the university, the student group and/or individual students from liability in the event of an incident. All documents must be kept on file for a minimum of ten years before they are discarded. Groups/Organizations are required to maintain their own records so a reliable paper trail can be traced, and important documentation is available after student turnover occurs.

4. Enforcement and Sanctions

All students, faculty, staff and student government bodies should be familiar with this policy and the sanctions for non-compliance. Anyone found to be in violation of this policy may be subject to sanctions or loss of privileges through the appropriate procedures.

Student societies and ratified student clubs will be required to follow the current Risk Management procedures developed by their respective student government i.e. UWSA, GSS, OPUS etc., and will be sanctioned in accordance with their policies and bylaws. However, penalties established in conjunction with the SERMP Committee may also be utilized when deemed necessary.

Violations of the SERMP will be addressed through a combination of educational and punitive sanctions. Sanctions imposed through this policy do not diminish or replace penalties under civil or criminal law, and will be tailored to the severity of the behaviour, circumstances, and impact on the community (harm to self, harm to others and/or property damage).

Students found violating the SERMP Policy may be subject to one or more of the following sanctions:

- Meeting with the Vice-Provost, Students and Registrar or designate
- Denial of authorization for future events
- Probation, de-ratification or temporary loss of a group's rights and privileges
- Inability to book rooms or utilize on-campus resources

The SERMP Committee reserves the right to impose and recommend further penalties if circumstances warrant. Individuals/Groups who are sanctioned shall be reported to the SERMP Committee.

5. Student Event and Activities Risk Management Policy Committee

5.1 Committee Mandate

The Student Event and Activities Risk Management Policy Committee is a sub-committee of the Risk Management Committee and was created to oversee and regulate all matters pertaining to student risk management at the University of Windsor. The committee aims to ensure sufficient standards and procedures have been established across campus, and appropriate processes are in place to handle disputes, violations and enforce sanctions.

The Committee is responsible for:

- reviewing and revising the Student Events and Activities Risk Management Policy on a semi-annual basis, or as needed
- the campus-wide awareness and promotion of the SERMP policy
- implementing and facilitating a risk management training session for each academic year
- working with all student groups, and providing advice and support when necessary
- ensuring risk management initiatives are undertaken by all areas supporting student events across campus
- collecting data and following trends surrounding SERMP to better plan for the future regulating campus adherence to SERMP policies and assisting in enforcement of sanctions when necessary
- reviewing appeals for events that have not been approved

The Committee shall report annually to the Risk Management Committee.

5.2 Committee Membership

Director, Student Development & Support

Director, Campus Police

Executive Director of Finance or designate

Assistant Director, Procurement & Treasury

Executive Director, Food, Housing & Conference Services

Department Head, Residence Life or designate

Representative of Athletics Chair Risk Management Committee of St. Denis Centre or designate

General Manager, University of Windsor Students' Alliance (UWSA)

VP Administration, University of Windsor Students' Alliance (UWSA)

Representative, Organization of Part-Time University Students (OPUS)

Representative, Graduate Students Society (GSS)

Representative, Windsor Inter Residence Council

6. Appendix Documents

The following documents and forms can be found in the Appendix that follows:

- Appendix A – Student Event /Activity Approval Form
- Appendix B -Waiver

*****ALL FORMS MUST BE KEPT ON FILE FOR TEN YEARS*****

STUDENT EVENT/ACTIVITY APPROVAL

The University has general liability insurance coverage for staff and students for events it can be said to have approved and/or sponsored by the University. The following are the minimum standards to be followed. In the event that your department has more stringent procedures such procedures should be followed.

NOTE: This protocol does not cover ratified student clubs/societies or any other student incorporated group(s). Please refer to your respective student body UWSA, GSS, OPUS etc. for their Event Management Protocol.

See other planning documents on the University's Campus Safety website
<http://www.uwindsor.ca/652702/campusevents-safety>; click on Events.

One month prior to the Event:

Please complete all areas on this form (please print).

Name of the Primary Event Organizer: _____

Name of Organization: _____

Address: _____

City: _____

Province: _____

Postal Code: _____

Telephone: _____

Fax: _____

Status of Organization:

Student/Student Group

Faculty

Staff

Academic Class

DETAILS OF EVENT/ACTIVITY

Nature of Event/Activity:

Location/Venue of Event: _____

Planned Transportation if applicable: _____

Date/Duration of Event: _____

Start Time: _____

End Time: _____

Potential or Inherent Hazards and Risk (be as specific as possible):

Who will be supervising this event/activity? _____

Will the Primary Event Organizer of the event be present at all times during the event?

YES NO

Has the Primary Event Organizer Contract been completed?

YES NO

Is an instructor required? If yes, please attach a proof of certification.

YES NO

Estimated attendance and who will participate in the event (i.e. students, general public, etc.)

The University has an alcohol policy. Are you planning to have alcohol at the event?

YES NO

If Yes, and your event is on campus please contact **University Catering Services** at ext. **3276**.

University Authorities Consulted (Please check as appropriate):

	<u>Contact Name</u>	<u>Date</u>
<input type="checkbox"/> Special Constable Service	Director ext. 1234	_____
<input type="checkbox"/> Dean or Department Head		_____
<input type="checkbox"/> Student Services	Ext. 3287	_____
<input type="checkbox"/> Occupational Health and Safety (Employee Related)	Manager ext. 4547	_____
<input type="checkbox"/> University General Counsel	Ext. 4059	_____
<input type="checkbox"/> Catering (if food or alcohol is being served)	Coordinator ext. 3276	_____
<input type="checkbox"/> Housekeeping or Facilities	Ext. 2158	_____
<input type="checkbox"/> Toldo Lancer Centre	Coordinator ext. 2424	_____

Safety, Health and Risk Management Initiatives (please attach any supporting documentation)

Hazard or risk of activity and safety procedures/precautions	YES	NO	N/A
Safety Training for participants	YES	NO	N/A
Hazardous materials and precautions	YES	NO	N/A
First Aid/Medical Aid coverage and emergency plans	YES	NO	N/A
Incident/Injury reporting instructions	YES	NO	N/A
Security arrangements	YES	NO	N/A
Special requirements e.g. electrical services, waste disposal, staging	YES	NO	N/A

Authorization to conduct event/activity (please provide details of authorization)

Level of Risk (High/Low)

- High Events that involve alcohol, transportation, physical activity, out of country travel or a new event.
- Low Events without alcohol service, all-age events held indoors.

University Sponsor (Faculty or Staff):

Name: _____ **Department:** _____

Title: _____ **Phone:** _____

Signature: _____ **Date:** _____

- No Sponsor
- External Sponsor (provide details)

Signature of Primary Event Organizer

Date Submitted to Legal Services

Please Note: Once the event has been approved the plans cannot be materially altered without resubmission for approval.

If the event is determined to be “high risk” then the form must be submitted for approval to: Legal Services, Room 312, Assumption Hall, ATT: Insurance Officer (legalservices@uwindsor.ca).

The Primary Event Organizer will be notified if the event will be approved.

Approved by
Insurance Officer/Legal Services

Date

Event Waive Form required? YES NO

If the event is not approved (reasons):

Liability Management:

- Attach Insurance Policy (if applicable):
- Attach participant waivers (if applicable):

STUDENT EVENT/ACTIVITY APPROVAL

Primary Event Organizer Contract

I, _____ (full name) hereby agree to act as the primary event organizer on _____ (date) for the following event:

I am fully aware that:

1. I will be responsible for organizing the event.
2. I will ensure that the planning of the event complies with the University of Windsor's Student Event and Activities Risk Management Policy (SERMP).
3. I will ensure that the event is run within SERMP guidelines.
4. It is my responsibility to ensure all student assistants or volunteers involved with the event are aware of their responsibilities.
5. The primary event organizer will be held accountable to the University sponsor name and extension of sponsor _____.

I agree to uphold all the requirements of being the primary event organizer and agree not to consume any alcohol the day of the event until the event ends and all the participants have safely dispersed.

Signature: _____

Witnessed By: _____ (name)

Activity Waiver

THE GOVERNORS OF THE UNIVERSITY OF WINDSOR RELEASE OF LIABILITY, WAIVER OF CLAIMS, ASSUMPTION OF RISKS AND INDEMNITY AGREEMENT

WARNING: BY SIGNING THIS DOCUMENT YOU WILL WAIVE CERTAIN LEGAL RIGHTS, INCLUDING THE RIGHT TO SUE. PLEASE READ CAREFULLY!

To: The Governors of The University Of Windsor

Name of Participant: _____

Address of Participant: _____

ASSUMPTION RISK

I am aware that participating in the **activity of** _____ has many inherent risks including but not limited to: _____

I freely accept and fully assume all such risks, dangers and hazards and the possibility of personal injury, death, property damage or loss, resulting therefrom.

RELEASE OF LIABILITY, WAIVER OF CLAIMS AND INDEMNITY AGREEMENT

In consideration of The Governors of The University of Windsor allowing my participation in the **activity of** _____, I agree as follows:

1. TO WAIVE ANY AND ALL CLAIMS that I have or may have in the future against the University of Windsor, and its members, officers, employees, students, agents, volunteers and independent contractors (all of whom are hereinafter collectively referred to as "the Releasees");
2. TO RELEASE THE RELEASEES from any and all liability for any loss, damage, injury or expense that I may suffer, or that my next of kin may suffer as a result of my participation in the activity of _____ due to any cause whatsoever INCLUDING NEGLIGENCE, BREACH OF CONTRACT, OR BREACH OF ANY STATUTORY OR OTHER DUTY OF CARE, INCLUDING ANY DUTY OF CARE OWED UNDER THE OCCUPIERS' LIABILITY ACT, R.S.O. 1990, c. 0.2 AS AMENDED ON THE PART OF THE RELEASEES _____ (initial here that you have read paragraph 2)
3. TO HOLD HARMLESS AND INDEMNIFY THE RELEASEES from any and all liability for any damage to the property of, or personal injury to, any third party, resulting from my participation in the activity of _____; and

This agreement shall be effective and binding upon my heirs, next of kin, executors, administrators, assigns and representatives in the event of my death or incapacity.

I HAVE READ AND UNDERSTOOD THIS AGREEMENT

Signed this _____ day of _____, 20____

Signature of Participant

Signature of Witness

Signature of Parent or Guardian If Participant Is a Minor

Please Print Parent/Guardian Name Clearly

This agreement must be completed in full, signed, dated, witnessed and paragraph 2 must be initialed before the participant may participate in the activity.

***** ALL FORMS MUST BE KEPT ON FILE FOR 10 YEARS *****

Submit Form To: Insurance Officer at lisa.ambedian@uwindsor.ca.