

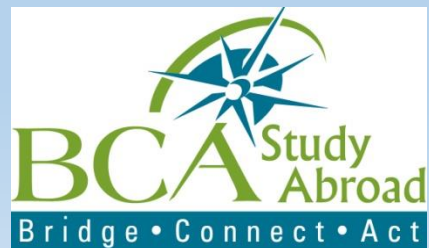
Get your ducks in a row: Bridging the gaps in health and safety for study abroad programmes

Ashley Mountfort, ATC¹

Rachel Helwig²

1 Resident Director, BCA Study Abroad, University of Otago, Dunedin, New Zealand

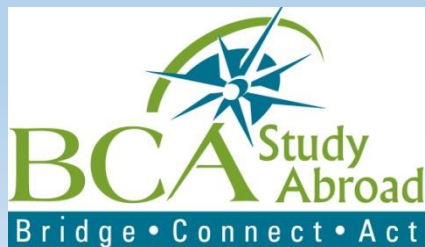
2 Assistant Director, Health & Safety and Program Services, BCA Study Abroad, Pennsylvania, USA



Bridge the world. Connect for peace. Act for justice.

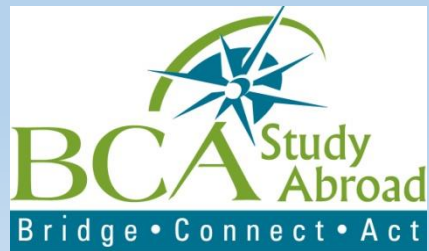
Overview

- Importance of Health and Safety in International Education
- Gain understanding of litigation issues
- Know the legislation that affects you
- How to prepare effectively
- Risk Assessment and Management strategies
- PREVENTION



Bridge the world. Connect for peace. Act for justice.

What do I know?



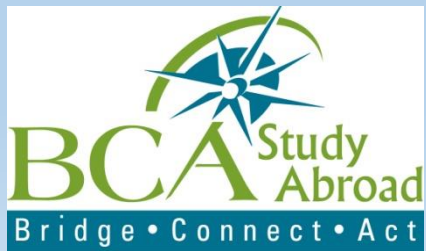
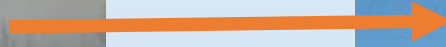
Bridge the world. Connect for peace. Act for justice.

2011



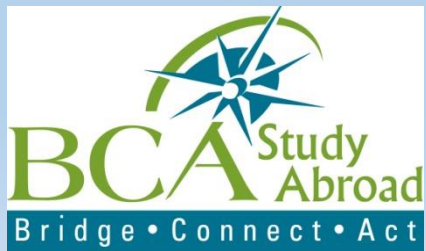
Bridge the world. Connect for peace. Act for justice.

2011



Bridge the world. Connect for peace. Act for justice.

2011



Bridge the world. Connect for peace. Act for justice.

2011



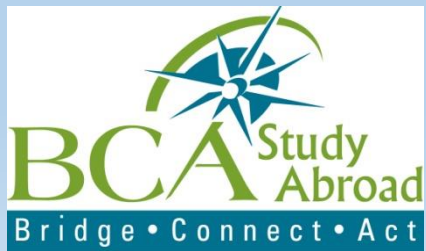
Bridge the world. Connect for peace. Act for justice.

2011



Bridge the world. Connect for peace. Act for justice.

Currently



Bridge the world. Connect for peace. Act for justice.

Basic Knowledge



Bridge the world. Connect for peace. Act for justice.

Basic Knowledge



Bridge the world. Connect for peace. Act for justice.

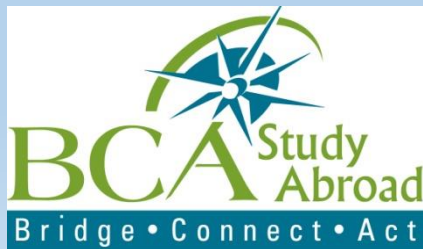
Basic Knowledge



Bridge the world. Connect for peace. Act for justice.

Main Objectives

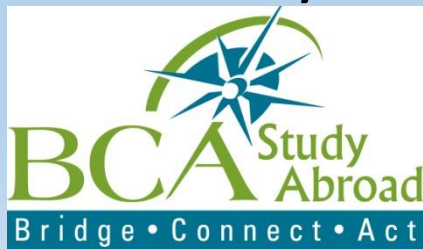
- Basic knowledge is important for effective preparation
- Communication with all people involved is key
- We can learn from case studies
- Understand the legislation affecting our roles
- Predicting what could happen: Risk Assessment and Management
- Weighing the risks
- Keeping up with the changes



Bridge the world. Connect for peace. Act for justice.

Importance of Preparation

- Teaching is beyond reading books and writing on the board. It involves getting out of the classroom and familiar atmosphere.
- Prepare and provide orientation meetings and materials along with guidelines for participants, staff, institutions and participants' families.
- Assess health and safety conditions of your site(s) periodically.
- Enforce and reinforce code of conduct and other legal documentation.
- Hire contractors for various excursions and activities for increased safety.



Bridge the world. Connect for peace. Act for justice.

Communicate to Students and Participants

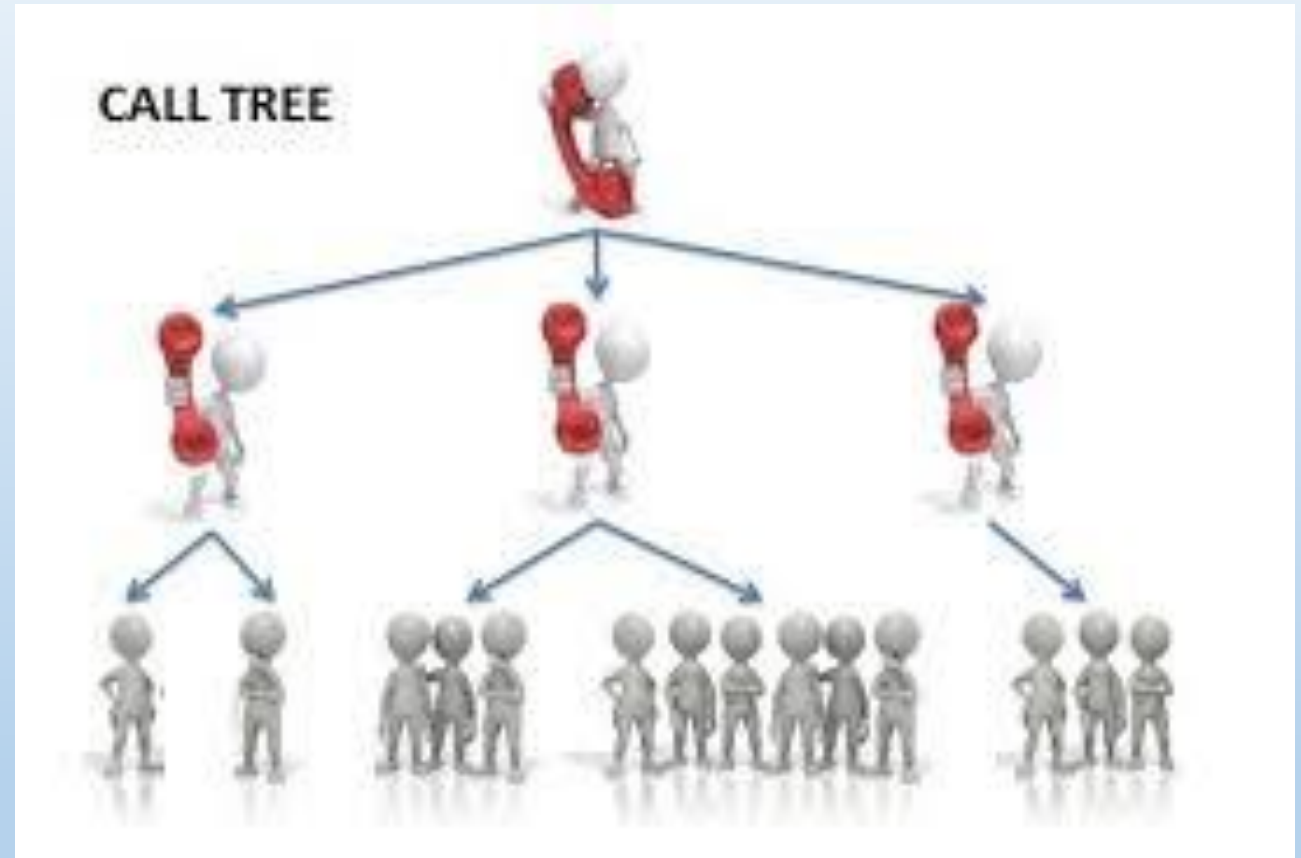
- Discuss with a GP before departure any possible effects of any medical conditions while abroad.
- Learn and understand the new culture.
- Become familiar with the local laws, safety conditions and customs.
- Know how to access emergency services.
- Practice common sense.



Bridge the world. Connect for peace. Act for justice.

Communicate with Parents and Institutions

- Review and summarise policies and procedures
- Send a letter to the parents
- Set boundaries!
- Have a “communication tree” setup



Case Studies

- Huge growth in study abroad enrolments and locations
- Growing numbers and stricter laws places more emphasis on the processes and procedures organisations and their staff setup and follow
- More risks for liable consequences to organisations?



Bridge the world. Connect for peace. Act for justice.

St Mary's College trip to Guatemala

- 1993
- Bus of students and staff taken over by bandits along dangerous road
- Three students were raped
- College sued by students for lack of awareness of the dangers of the road where the incident occurred
- School paid \$195,000 USD in 2002 to avoid trial



Bridge the world. Connect for peace. Act for justice.

Paneno v Centres for Academic Programmes Abroad, Ltd

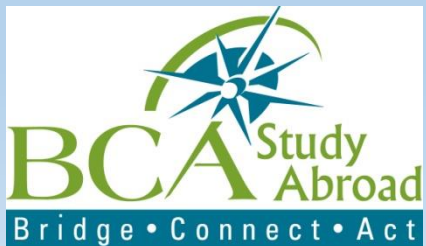
- 2000
- Paneno fell six stories from balcony after railing gave way, resulting in paralysis.
- Sued programme and university for negligence
- Lesson learned to carry out risk assessments of programme sites.
- Importance of clear partner agreements.



Bridge the world. Connect for peace. Act for justice.

Orson D Munn III et. al. v The Hotchkiss School

- 2007
- Student contracted tick-borne encephalitis in China resulting in permanent physical damage
- Munn: Students should have been warned of risks and faculty should have been aware, announcing in pre-departure materials; Hotchkiss therefore seen as negligent
- Hotchkiss: No previous reported cases of travellers in China receiving same diagnosis
- School lost; Munn awarded \$31.5 million USD



Bridge the world. Connect for peace. Act for justice.

Clitheroe Royal Grammar School

- UK student with Diabetes banned from school trip to France
- Decision made post-hypoglycaemic attack while abroad
- “There is no justification for this. A disabled pupil should have access to the same opportunities as everyone else.” –Disability Rights Commission
- Verdict: Breach of anti-discrimination legislation
- Teacher unwilling/unable to take responsibility
- Additional Case: Singapore example



Bridge the world. Connect for peace. Act for justice.

King, et. al. v Eastern Michigan University

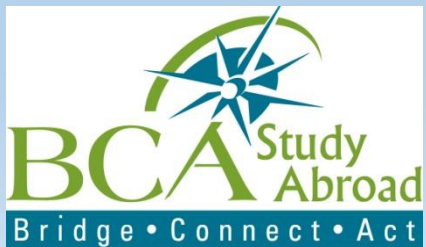
- Six female students forced to leave programme in South Africa early as result of gender discrimination from three male students
- Violation of Title IX (USA)
- Title IX applies to abroad programmes involving American students
- The court stated, “Study abroad programs are an integral part of college education today. A denial of equal opportunity in those programs has ramifications on students’ education as a whole and detracts from their overall education.”



Bridge the world. Connect for peace. Act for justice.

Legislation: Title IX and Clery Act (USA)

- Tied to participation in programmes with higher education (including when abroad through a USA institution)
- Emphasis on emergency and evacuation procedures as well as travel warnings
- Encourages programmes to gather crime statistics
- Covers hate crimes, violence, sexual assault and stalking
- Important for leaders to understand recording and reporting procedures
- Ensure students know their rights for equal access



Bridge the world. Connect for peace. Act for justice.

Legislation in New Zealand

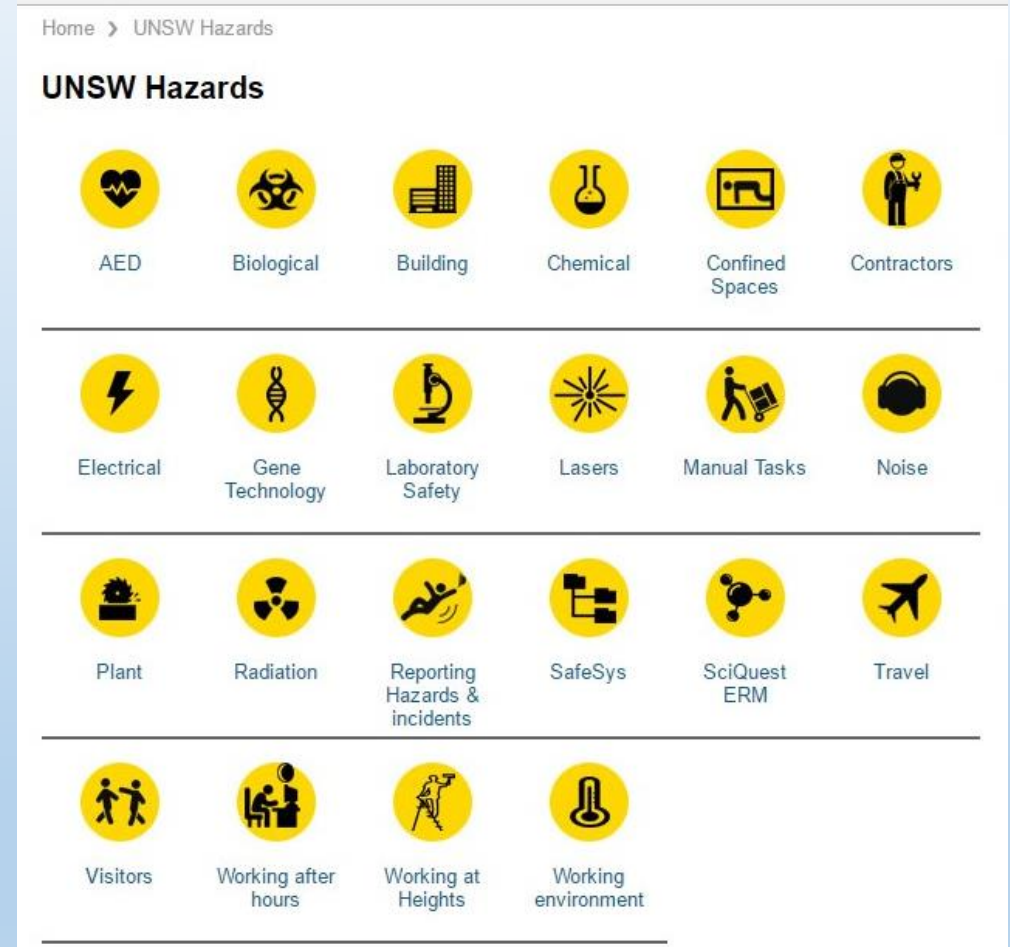
- Health and Safety at Work Act 2015
- EVERYONE holds a responsibility for health and safety
- Education and review of the guidelines and practices is key
- Moving beyond the responding and recording aspects to focusing more on prevention through proactive identification and management of risks.
- Hefty financial consequences for not complying to the law, especially if negligence is suspected



Bridge the world. Connect for peace. Act for justice.

Legislation in Australia

- Varies by state
- NSW:
 - Policies for student health and work health and safety
 - Work Health and Safety Act 2011
- <http://www.safeworkaustralia.gov.au/>



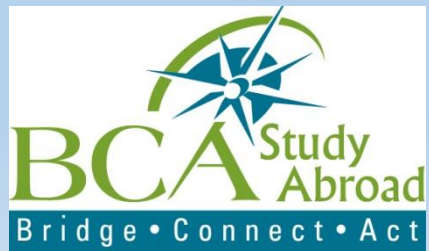
So What?

- Preparation; learn from previous events and incidents.
- Safety cannot be guaranteed, but can be promoted
- Code of Conduct and waivers reviews...
 - Hotchkiss: "would not be responsible for any injury to person or property caused by anything other than its **sole negligence or willful misconduct**"
 - Example of swimming in the ocean
- Other legal documentation improvements
- Pressure on study abroad programmes



Bridge the world. Connect for peace. Act for justice.

Overwhelming?



Bridge the world. Connect for peace. Act for justice.

How to Control and Respond

- Be honest
- Be prepared to make modifications (“plan in pencil”)
- Be careful with promises and commitments
- “Plan for the worst but hope for the best”
- Hotchkiss: “Field trips are *intended* to expose children to situations outside of their comfort zones and of the organizers’ control. Such trips thus naturally entail a certain level of risk”



Bridge the world. Connect for peace. Act for justice.

Prepare

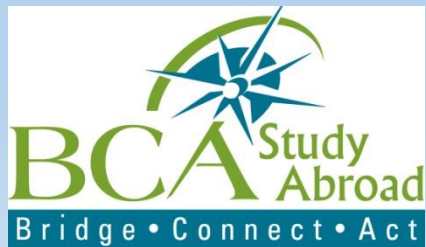


Prepare



Documentation

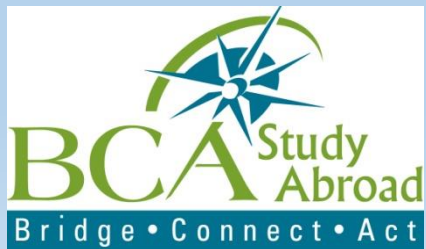
- Health and medical conditions of participants
- RAMS (Risk Assessment and Management Strategies) forms
- Emergency contact information for programme, institution and participants
- Emergency procedures information
- Documentation is our PROOF of planning and responding.



Bridge the world. Connect for peace. Act for justice.

Risk Assessment and Management Strategies (RAMS)

- Assessing possible incident, causal factors, management strategies and procedures in case of emergency
- What could happen?
- How can the predicted events happen? What can cause them to occur?
- What can be done to lower the risk of such events occurring?
- What should be done IF an incident occurs?



Bridge the world. Connect for peace. Act for justice.

Considering Possible Risks

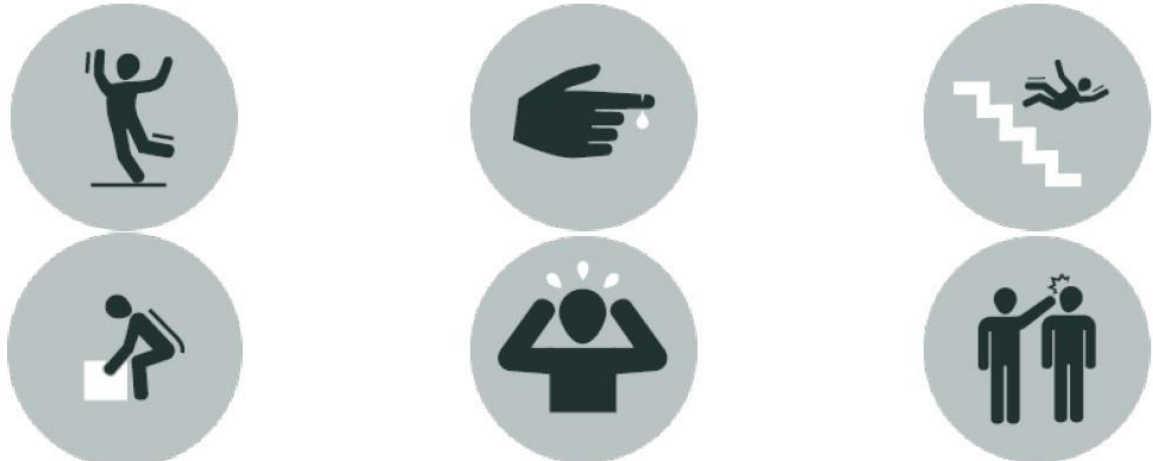
schools-and-eces.pdf - Adobe Reader

File Edit View Window Help

1 / 2 143%

Tools Sign Comment

input - they probably know others you weren't aware of.



Getting started with health and safety

Everyone who goes to work deserves to come home healthy and safe. It's as simple as that.

[The Ministry of Education has developed a range of fact sheets](#) to help schools, kura, ECE services, kōhanga reo and playgroups understand the key components of a health and safety system.

Getting started doesn't have to be difficult but if you need some help, you can [use this risk management framework](#).

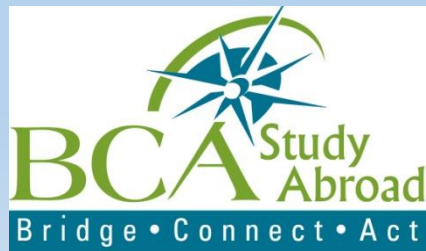
Involve your workers

6:01 p.m. 20/10/2016

RAMS forms

(Risk Assessment and Management Strategies)

	Causal Factors (lemons)	Risk reduction strategies
People Skills, attitudes, age, fitness, ratios, experience, health etc.	-Low fitness levels -Risky behaviour on island (on boulders or cliff edge) or boat (falling overboard) -Not paying attention	-Make sure the group sticks together and that I as the leader can see all 9 heads throughout the walk. -Though the island is very small, someone may choose to wander off without notice. I will emphasize staying with the group on the paths -Not allowed to swim unless permission is given by the volunteer organisers AND students wishing to swim have towels and extra clothing. -Walk slowly and carefully on the path and watch your head and steps
Equipment Clothing, shelter, transport, activity, specific gear, safety gear etc	-Poor footwear -Poor/not enough warm gear -Not enough food -Vehicle breakdown	-Prior to the excursion I have already and will remind students to dress warmly and well for the outdoor Winter conditions. I will also remind about bringing plenty of water and food. -I will bring extra food and water. -I will practice safe driving skills with the van, which I have prior experience driving. This will be used to transport us to and from the boat dock.
Environment Weather, terrain, water, season etc.	-Adverse weather conditions can cause dangerous conditions on the boat transfer. -Rain, sleet or snow can exacerbate the conditions of the path leading to injury as it is still Winter	-If any heavy rain, sleet or snow is predicted or occurs, then the excursion will be postponed. I will also keep in contact with the volunteer organisers about the conditions if any sever weather is predicted. -Light drizzling rain and light wind is okay. I will just advise extra caution when walking on the paths and taking the boat.



Bridge the world. Connect for peace. Act for justice.

Medical Conditions?



Medical Conditions?



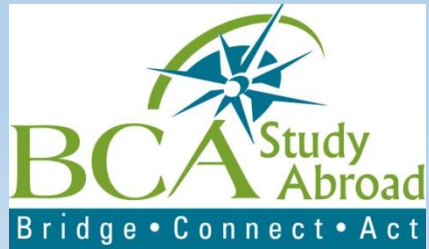
Environmental Dangers?



Environmental Dangers?



Environmental Dangers?



Bridge the world. Connect for peace. Act for justice.

Environmental Dangers?



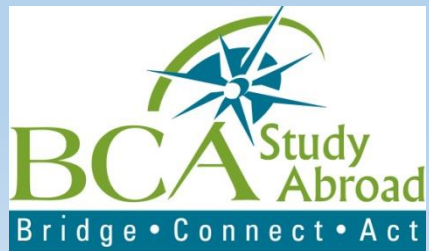
Bridge the world. Connect for peace. Act for justice.

Environmental Dangers?



Bridge the world. Connect for peace. Act for justice.

Environmental Dangers?

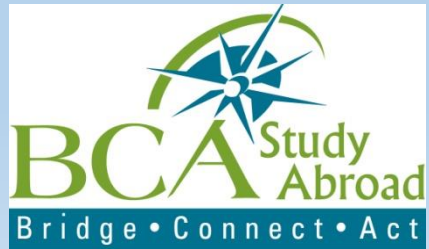


Bridge the world. Connect for peace. Act for justice.

Transportation Risks?

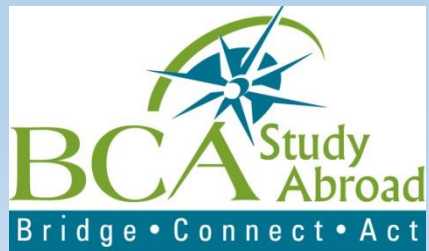


Behaviour Issues?



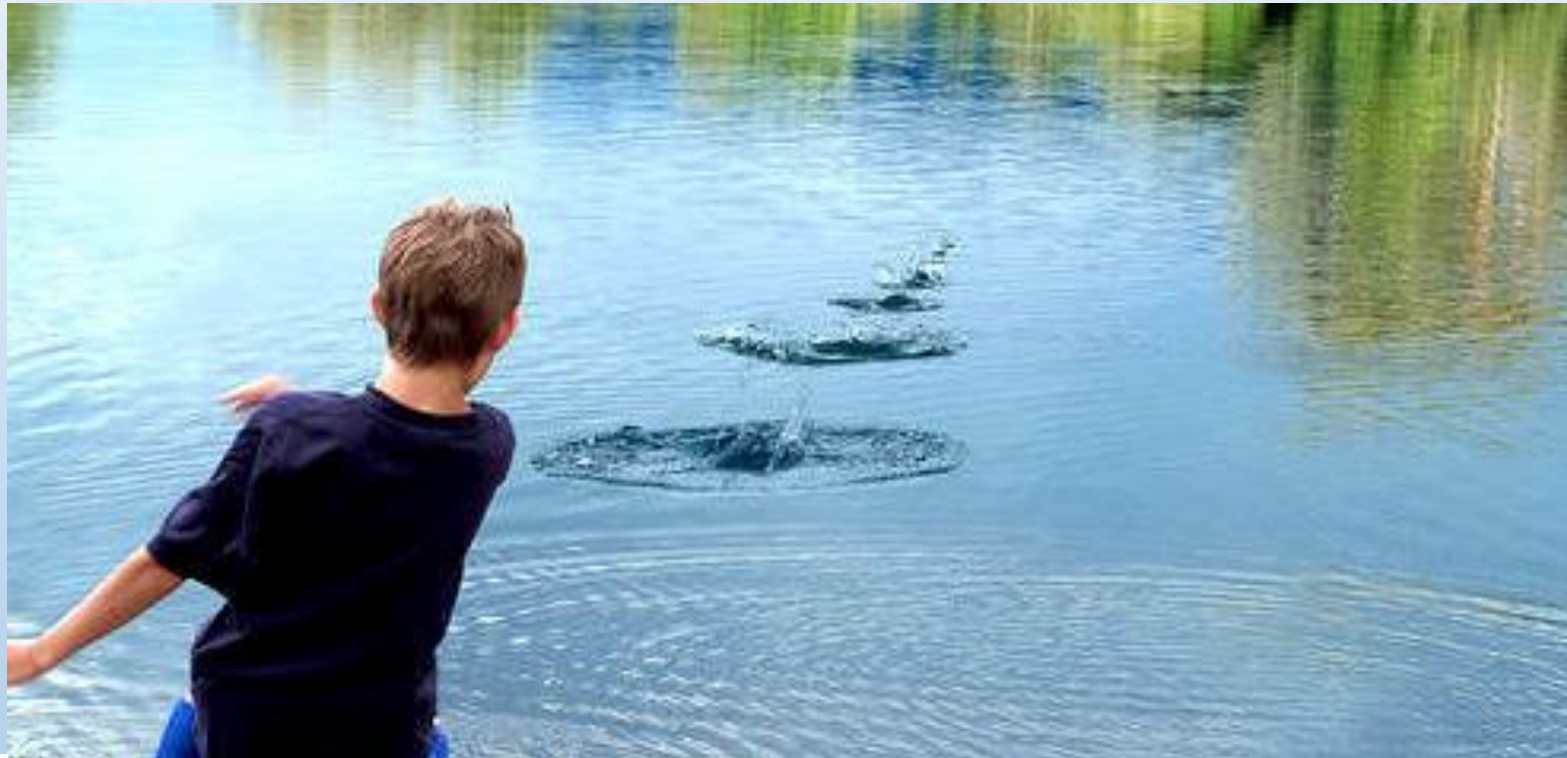
Bridge the world. Connect for peace. Act for justice.

Other Issues?



Bridge the world. Connect for peace. Act for justice.

We can't always predict everything!



Bridge the world. Connect for peace. Act for justice.

Reporting



BCA Incident Report

Date of incident:

Date of incident report:

BCA Study Center: Dunedin, New Zealand (Otago)

Person completing report: Ashley Mountfort, Resident Director

Type of incident:

Medical

Legal

Personal

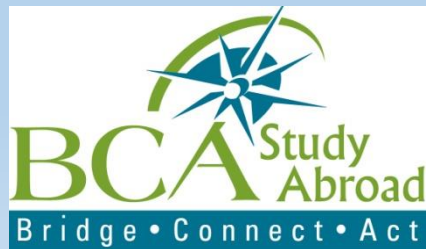
Other

Crime against student⁵

Please describe the incident:

When did you learn about the incident?

What actions were taken and when?



Bridge the world. Connect for peace. Act for justice.

Reporting



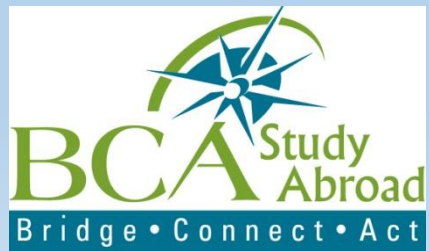
Bridge the world. Connect for peace. Act for justice.

Reporting



Bridge the world. Connect for peace. Act for justice.

Challenges



Bridge the world. Connect for peace. Act for justice.

Challenges



Bridge the world. Connect for peace. Act for justice.

Piecing Everything Together



Tips and Suggestions

- Look at your business' current health and safety standards and practices. Anything missing? Anything you believe can be changed?
- Have leadership in Health and Safety, but also work together.
- Know the laws that affect your role. In International Education, this may mean having awareness of laws that apply cross-culturally from different nations.
- Phrase code of conduct documentation and waivers clearly for participants; and also in appropriate ways to declare who's legally responsible in situations.



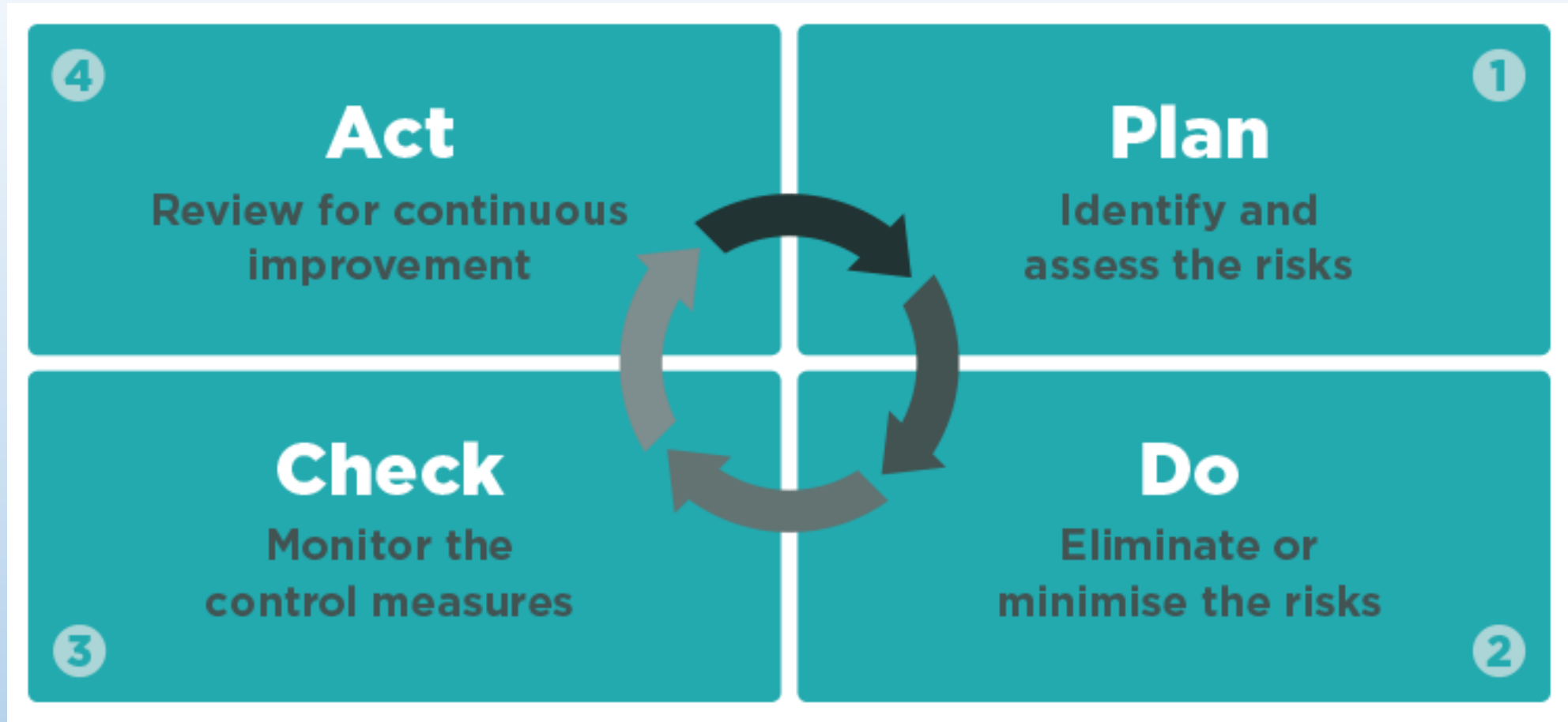
Bridge the world. Connect for peace. Act for justice.

Reminders

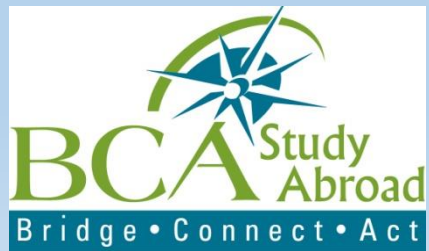
- Safety cannot be guaranteed, but can be promoted.
- We cannot monitor every participant 24/7. We also cannot prevent students from engaging in illegal activities. We CAN however provide the information and instructions necessary for preventing adverse events by promoting safe and wise decision-making and planning.
- Students impact their experiences through their daily decisions.
- Adhere to stated consequences and disciplinary actions.
- Document/record everything. The paperwork is worth it!



Bridge the world. Connect for peace. Act for justice.



Work Together



Bridge the world. Connect for peace. Act for justice.

Questions?

Ashley Mountfort, ATC

amountfort@bcastudyabroad.org



Bridge the world. Connect for peace. Act for justice.