

## **KEEPING ON THE RIGHT SIDE OF THE LAW**

One of the conditions that race organisers need to comply with, under the UKA Licensing Scheme, is Licence Standard No 38.

This requires that the Risk Assessment will take account of :

- The Disability Discrimination Act 1995 / 2004
- The Food Hygiene Laws 2008
- The Children's Act 1989 / 2004 (where applicable) relating to duty of care

This is giving some concern as clearly many race organisers are signing their license application forms and agreeing to meet these conditions without knowing what their responsibilities are.

Paul Wood, of BARR has been looking at the situation and has come up with some of the more important Acts that organisers should be considering and that scrutineers should be checking in the events Risk Assessment Appraisal. A Medical RA is also part of the requirement.

### **THE DISABILITY DISCRIMINATION ACT (DDA)**

1] The DDA covers ALL people who are disabled and could therefore cover a wide range of different disabilities. Banning certain people is OK as long as you can back it up with reasons as to why you are doing so.

Remember, this could be tested in court if challenged by a person with a disability.

2] You need to consider whether your course is suitable for disabled athletes. If it is not, then you need to have undertaken a risk assessment to justify why and have the document available if challenged.

Similarly, if it is safe you need to be able to justify this should the police say that it is not suitable. Again, this could be tested in court

3] If you have an application from a partially sighted athlete you may need to arrange for a large print entry form.

4] If you have wheelchair athletes you will definitely have to provide toilets accessible for disabled persons. Even if you do not allow them in your race, at a large event you will need those toilets to cover the likelihood of disabled spectators attending.

### **THE FOOD HYGIENE LAWS**

1] If you are providing food then at least one person in charge of the catering facility must have a food hygiene certificate.

2] If you are using a sports centre or outside caterer it's the event organisers responsibility to ensure that the caterers hold a current food hygiene certificate.

3] Is the water that you are using safe to drink? Are the cups clean?

4] Are water station personnel aware of the requirements relating to basic food hygiene? e.g. any skin abrasions must be covered and where possible gloves should be worn?

### **THE CHILDREN'S ACT**

1] Has the person or persons responsible for events, in which children can take part, been CRB checked?

2] Have you a policy in place that deals with lost children that ensures that if they are supervised by at least two adults and at least one has been CRB checked?

3) Race organisers have a duty of care towards children at their event and the question of up to what age is one considered to be a child has been raised.

It is advised that in the eyes of the law anyone under 18 is considered a child, which means that unless you organise a marathon or ultra distance event you are almost certain to have children competing in your race and will need to have a duty of care procedure in place for them.