



BKFA Update

No 11 December 2009

TO ALL CLUBS: Please feel free to reproduce all or part of this update in your club's own newsletter. Following some useful feedback, I have placed an abridged version of this update at the end that will be more digestible!

If this newsletter needs to go directly to more people in your club, or if it needs to be directed elsewhere, please let Jerry Swift know.

Jerry Swift

Chairman's message

A message from BKFA's new chairman, Keith Griffiths, also National Director of STACK

Hmm, how did this happen? I was planning to reduce my administrative duties over the next year, probably stepping down from being STACK National Director, and getting back to flying kites. Now I find myself chair of the BKFA as well!

How is probably not important, but WHY is. I believe the BKFA is a vital link in the chain of organisations involved in kite flying. It is the oil for the wheels (not the oil on water as some would have you believe). It has a role to play in chasing down those tedious items that no-one wants to do; checking the CAA regulations, health and safety, child protection, insurance. I want to ensure that this work carries on, because as a STACK official if the BKFA isn't doing it then I have to anyway. What's the point in every club chasing the same things independently, when one organisation is there offering to do it for them?

Let's get this clear, as far as I am concerned the BKFA is NOT a threat to local (or national) clubs; we are not there to take your members away from you, and could not replace the local clubs even if we wanted to. We are here to help, to be a resource, and above all to be a louder voice than any one club could be at a national level.

Why would anyone not want that?

'Elf and safety

Clubs continue to express concern about the possible impact of Health & Safety legislation. The following extracts struck a chord with us, reflecting where we are today.

The Institution of Occupational Safety and Health (IOSH) has welcomed the debate opened up by comments on 'elf n safety' culture made by Conservative leader David Cameron in his speech on Tuesday to the Policy Exchange thinktank.

In his speech Cameron said that: "what began as a noble intention to protect people from harm has mutated into a stultifying blanket of bureaucracy, suspicion and fear that has saturated our country, covering the actions of millions of individuals as they go about their daily lives."

"Our attitude to risk has got stuck in an uneasy contradiction," said IOSH President John Holden: "On the one hand we won't tolerate risks or mistakes but neither do we want to be controlled or nannied.

"In an increasingly individualistic society, we now seem able to hold two completely divergent views at the same time – 'I want to take the risks I want to take but I don't want to be exposed to any risks that are not of my making and I want those who are involved in accidents to be held accountable, whatever the circumstances'."

IOSH said it welcomed the Conservative leader's challenge to end the 'culture of blame' and free up what was referred to as a climate where everyone is "so worried about being sued that they invent lots of their own rules on top of the regulations."

Spokesman Phil McCabe of The Forum of Private Business agreed that: "Businesses do face too much health and safety regulation and a lot of it is confusing, complicated and over-the-top.

"However, a lot of businesses are over-cautious simply due to the myths and scare stories which do the rounds. There's a lack of understanding of the law which leads to many businesses doing more than they have to in order to comply with the rules."

Precisely!

AGM highlights and the new committee

Does an AGM have highlights? This year's full Council meeting (effectively BKFA's AGM), took place on Sunday November 29th.

Thank you to those that made the effort to get to a South London pub and thanks to Jon Caton for his sterling efforts as chairman. Jon stood down at this year's AGM as required by the constitution.

Talking of constitution, a number of minor changes have been identified. These will appear on the website. They will be voted on at next year's Council meeting.

The draft minutes of the Council will be on the website shortly, but key points were:

- Ernest Barton had to step down during the year as secretary for health reasons – everyone was keen to thank him for all that he had done
- There is an end in sight for the BKFA insurance saga, see next item
- BKFA are keen to assist George Webster, Malcolm Goodman and Paul Chapman with ideas beginning to emerge about the conservation of UK historical kite material
- BKFA hopes to run two competitions in 2010, subject to agreement with event organisers
- BKFA offered to assist with the Kite Hall of Fame being developed by George and Tony TC Cartwright
- STACK were commended for their work collating the scores from the rokaku challenge with thanks to Pete Dawson in particular
- BKFA is going to try and take forward Sports Council recognition

The new committee is:

Chairman: Keith Griffiths

Secretary: John Dobson

Treasurer: Jerry Swift (co-opted)

Ernest Barton, Doug Jones, Derek Kuhn, Michael Lowe, Jon Caton (co-opted)

Insurance update

Decision time. BKFA now has an insurance offer which it is able to pass on to clubs. STACK has indicated they will probably take the offer up and we are inviting other member clubs to join.

We know not everyone will: MKF for example has a very good insurance policy, although as one member said at their recent AGM, "that may well change the first time we make a claim."

BKFA will not be promoting this to individual affiliates. We will encourage people seeking insurance to join their local club, but if there isn't one then we will consider offering cover on a case by case basis – after all it is better that they hold suitable insurance. In that event, we will also be encouraging them to join KSGB as the only source of UK wide information (and a damn good magazine).

The offer:

£10.50 per person (inclusive of tax). This would include:

- Kiting activities anywhere within the UK and Europe are covered at any time providing that members adhere to the code of practice and that an annual risk assessment is carried out at each site where five or more members gather to fly at the same time
- Member to member cover
- No age limitations
- Club Officials cover
- Cover for events organised by the group with an attendance of no more than 350 people, any more than this will require prior notification
- Competitions within the UK
- Limit of indemnity £5m
- For an additional £2 per person, this can be extended to £10m
- Professional Negligence extension under Public Liability for instruction and training
- Power kiting membership can be bought for £15.50 per person (the user must be proficient and all relevant safety recommendations adhered to)

NOTE: Libel and Slander is not included as there doesn't seem to be any insurable risk under the activities we have described.

How would it be administered?

BKFA would have a central policy with Zurich through Tennyson (the broker) and update them monthly with a list of members. After the initial deposit premium of £1000 is paid the total premium will be reconciled on the renewal of the master policy.

Buildings and Contents

They could easily insure both the building and contents of the clubs, however, we would have to specify what the rebuild value of the individual buildings were and the value and type of contents contained within.

Additional points:

- Members helping members of the public to make kites (workshops) is included
- Flying kites in schools will cost an additional £10.50 per day per person (where this is being undertaken with the children as a workshop or similar. This cover will not apply if tuition is part of a business activity, but reasonable expenses would not invalidate cover).
- Cover would not extend to kite makers when they are acting in their professional capacity. If they were acting as a member partaking in the activities cover would be active

What is not insured: (commercial risks)

- Event cancellation and abandonment
- Insurance for kite manufacturers (except as part of a workshop as noted above)
- Providing instruction and tuition for commercial gain
- Anyone kiting for commercial gain (professional)

Using the report form

The festival season now seems a distant memory. We know of only one incident, that of a Rolf Zimmerman inflatable 'popping' all its bridles. Problem then was that the drogue caught the wind, swung in front of the inflatable and the whole lot set off across the field at fairly high speed.

Unfortunately it caught on a child's pram. Fortunately no-one was hurt. We understand that the local authority is carrying out an investigation.

A BKFA accident report was not completed.

Could we suggest strongly that all festival or event organisers print a copy of the form, available on the website (http://www.bkfa.org.uk/files/incident_form.pdf) and keep it to hand. First priority in any incident is clearly to make the site safe. But as soon as possible after the incident please complete a report and get it back to us, whether your club are BKFA members or not.

The report form should be used at club fly-ins or even if just a couple of people are having a fly together – any information helps to build a picture of the risks we need to manage as responsible kite fliers.

CAA are quite clear, they expect airports to monitor their own safety. If we don't, CAA might impose mandatory reporting and that is in no-one's interests.

BKFA will keep reports confidential, but will report on the outline of incidents so that everyone can take steps to prevent repetition.

Photos for press use and BKFA website

BKFA is keen to include royalty free photographs on its website that can be used by the media. They need to be high quality JPEGs and we will request a credit for the photographer, but cannot guarantee one is given.

We also want to photos that tell the story of kiteflying in the UK and abroad today, photos that will attract people to join clubs and take up kiteflying that we can use on the BKFA website.

If you have suitable pictures, please send them to Jerry Swift (treasurer@bkfa.org.uk) , making it clear whether they are freely available for use by the media or whether their use is restricted to the BKFA website.

Coastal access

Many people enjoy combining kiteflying with a walk along Britain's beautiful coast line. But as we know all too often there are barriers to progress. [The Guardian](#) reported on coming changes in an article at the end of July.

The obstacle course of barbed wire, live ammunition and beetling cliffs facing England's planned coastal path is revealed in detail for the first time today.

Maps drawn up for the marine and coastal access bill, which is expected to become law in November, trace a vivid red and green snake round the 2,748 miles of mainland coast. Each of the red sections is either private, inaccessible or dangerous.

The audit by Natural England and shoreline councils is part of an effort to make all of England's coastline accessible to walkers. "There will be 10 years' work to be done before we can walk the whole way," said Paul Johnson, coastal access manager for Natural England, "but we reckon that the first rights of way between major seaside towns could be in place by 2013."

The Natural England study found that 66% of the coast, excluding Scotland, Wales and Northern Ireland which are working on their own access, can be walked safely. Much the best figure is 76% in the south-west where a 630-mile national trail, the longest in Britain, follows the coast between Minehead and Poole harbour.

But even this still faces diversions 31 years after the last section was opened, including four military training areas. Johnson said that the bill's provisions would speed up and improve ways round such obstacles, which can take up to four years via current public inquiries. The new process will also keep unavoidable diversions as close as possible to the sea.

The new path will not be hemmed in by health and safety precautions along wild clifftops, dunes and seashore. Johnson said: "Landowners with the path crossing their land will actually face less liability when the bill becomes law. It will be almost impossible to sue after accidents, which unfortunately are bound to happen from time to time."

Child photography

And the [Daily Mail](#) has been commenting on taking photographs of children, potentially an issue at many festivals.

You can't ban parents from taking pictures, schools told

By James Slack

Parents who want to take photos of their children in school plays or at sports days can once again snap happily away. The privacy watchdog says authorities that have banned parents taking shots for the family album are wrongly interpreting the rules.

Relatives wanting to take pictures at nativity plays, sports days or other public events are often told that doing so would breach the Data Protection Act.

But the Office of the Information Commissioner has said this interpretation of the law is simply wrong. It decreed that any picture taken for the family photograph album would normally be acceptable.

This guidance can now be used by parents and grandparents to challenge 'barmy' rulings relating to the upcoming school sports day season. Deputy Information Commissioner David Smith said: 'We recognise that parents want to capture significant moments on camera.'

'We want to reassure them and other family members that whatever they might be told, data protection does not prevent them taking photographs of their children and friends at school events.'

'Photographs taken for the family photo album are exempt from the Act and citing the Data Protection Act to stop people taking photos or filming their children at school is wrong.'

The guidance, sent to education authorities across the country, says: 'Fear of breaching the provisions of the Act should not be wrongly used to stop people taking photographs or videos which provide many with much pleasure.'

'Where the Act does apply, a common sense approach suggests that if the photographer asks for permission to take a photograph, this will usually be enough to ensure compliance.'

Specific examples of what is allowed includes a parent taking 'a photograph of their child and some friends taking part in the school sports day to be put in the family photo album'. The video recording of school nativity plays is also listed as being acceptable. The guidance says that, in some cases, official school photographs or visits by newspaper photographers may be covered by data protection laws.

But provided that parents and children are informed about what is happening, there should be no problem in these cases. Earlier this month, the Mail reported how parents at Mrs Ethelston's Church of England Primary School were upset after being told they could not take pictures of their own children at sports day. The village school in Uplyme, Devon, cited changes to child protection legislation for the ban on cameras.

Headmistress Andrea Rice said 'vulnerable pupils' needed to be protected. There has been a string of similar cases in which parents were stopped from taking pictures at school events.

Margaret Morrissey, of pressure group Parents Outloud, said: 'I am really pleased that common sense has broken out. We have to be sensible about this and allow families to build up histories of their children and stop spoiling life for those parents who want to be involved.'

Child protection

No further news on implementation of the new Safeguarding Vulnerable Groups Act. CCPR continue to monitor the situation closely on behalf of all sports bodies. If clubs require CRB checks, these can be obtained through CCPR's agent at no cost for volunteers. We expect to use the same route for ISA certificates. We will provide a full update in the next newsletter.

Jerry Swift, BKFA Treasurer and Child Protection Officer, has successfully completed the NSPCC's Child Protection Awareness course. He is now starting a more detailed course covering the subject in greater depth.

Jerry Swift
December 2009