

# Planning an Educational Visit

*a guide to running safe and effective visits with Tour Operators*

**Chris Lowe**

*The School Travel Forum*

promoting best practice in educational travel





**CHRIS LOWE** is a lawyer, former Head of a comprehensive school, former legal secretary and President of the Secondary heads Association, and Visiting Professor at Edith Cowan University, Western Australia. He writes a Legal Issues column in the Times Educational Supplement and has written extensively on education law and on running educational visits.

## FOREWORD

The School Travel Forum, which includes the major companies in the school travel business, has estimated that probably only 40% of all school visits are organised through its members. This leaves a great many visits in the hands of teachers who are already hard-pressed for time in school. This is an opportune time for governing bodies and Heads to consider which of their visits/outdoor activities should be organised entirely by the school, and which would be better put into the expert hands of reputable school tour operators.

Certain visits, such as day visits to local museums, might be easier to organise in-house. Teachers might have more peace of mind in using external providers for most others – particularly as parents along with the rest of the public are becoming increasingly litigious and looking for someone to blame.

If schools do their own organisation they put themselves in much the same position as supplier travel companies, responsible wholly for health and safety, and possibly subject to the Package Travel, Package Holidays and Package Tours Regulations 1992 for some of the visits. If they use travel companies then schools are in effect the customers and entitled to all the protection afforded by the health and safety laws, contract law, trade description legislation, and the package holiday regulations. They will not have to carry out risk assessments for the visit, though they will need to satisfy themselves that the Tour Operator has done so adequately.

Using a travel company means that a great deal of pressure is removed from the accompanying staff. The leader, and other adults, retain, of course, the overall pastoral care of the pupils, but this is something that teachers do all day long! The employing organisation ( usually the LEA ) will still have legal responsibility for the health and safety of the pupils and school staff, but will in effect share that responsibility with the Tour Operator.

*Chris Lowe*

## 1 GOVERNMENT GUIDELINES (HASPEV)

The good practice guide **Health and Safety of Pupils on Educational Visits 1998 (HASPEV)** has now been supplemented by an update, which is split into three parts, covering

- 1 Standards for LEAs in Overseeing Educational Visits
- 2 Standards for Adventure
- 3 A Handbook for Group Leaders

The department has already published a separate but related document: **Health and Safety Responsibilities and Powers**

*It is important for educational visit leaders to be familiar with the contents. But remember that the guidance is not prescriptive. It is there to guide LEAs, schools and leaders in coming to a judgement about what is good practice in the circumstances. Your LEA will also have its own guidelines on educational visits and you should familiarise yourself with this as well.*

**Enquiries about HASPEV and the Supplements can be made to the DfES Pupil Health and Safety Team, Tel. 020 7925 5536, or visit the website at [www.teachernet.gov.uk/visits](http://www.teachernet.gov.uk/visits)**

The DfES guidance is now very detailed and complex, and is concerned mainly ( but not only)with the issues surrounding visits organised solely by the school. **This booklet summarises the relevant guidance about planning educational visits contained in HASPEV, but concentrates in particular on issues concerning travel with a tour operator and the legal obligations and responsibilities facing the party leader.**

**Further on in this booklet you will find a flow chart setting out the steps required for organising an educational visit.**





## 2 WHO DOES WHAT ?

*The DfES guidance highlights the importance of educational visits in the active curriculum of a school, and the need for everyone who has some responsibility for educational visits to work as a team towards ensuring that the visits are safe and educational.*

**Local Education Authorities** are responsible ultimately for the health and safety of pupils and staff in community and voluntary controlled schools and the actions of employees while in the course of their employment

In particular the supplement to HASPEV states that it is good practice for them to appoint Outdoor Education Advisers, who will:

- a advise schools and colleges generally or in detail on proposed visits,
- b give formal approval on behalf of the LEA for higher risk activities, and
- c ensure appropriate training is available for schools, particularly for those involved in delegated tasks, such as risk assessment.

**Governing Bodies** of foundation and voluntary aided schools, and proprietors of independent schools have the same responsibility for their schools as LEAs have for community and controlled schools.

**Headteachers** are responsible for ensuring that all visits and activities are properly planned and supervised, that appropriate training has been carried out and the group leader is competent for that type of visit

**Educational Visit Co-ordinators:** The new HASPEV supplement says that it is good practice for schools to appoint educational visit co-ordinators (EVCs). Heads and governing bodies will have to decide the role and responsibilities of EVCs, and to arrange appropriate training. The department of Education and Skills is providing a £2.3 million contribution towards the cost of EVC training in 2002-03.

**Party Leaders:** Each group should have one overall leader, responsible for the supervision and conduct of the visit

**Legal Position of the Party Leader:**

*Organiser/leaders should be reassured to know that, although they may carry out delegated tasks on behalf of the school, the employer retains ultimate responsibility.*

*The teacher leader has the same health and safety responsibility that he/she has during a normal teaching day, ie to do all that is reasonably practicable to ensure:*

- the health and safety of the pupils in their charge
- the health and safety of others
- his/her own health and safety

The difference is that educational visits are not usually 'normal' and therefore require specific planning and organisation.

By following LEA/school policies, and undertaking appropriate training, a leader will be demonstrating that he/she is acting as a 'reasonable teacher' would in the circumstances.

*In my view, a rough and ready test is to ask, 'Is what I am about to do something that I would do if it was my own child that I was doing it for?' If the answer is not an IMMEDIATE 'Yes', then do not do it. Alter what you were going to do to such an extent that you would then be entirely and immediately satisfied.*

**REMEMBER:** Always err on the side of safety in all cases.

**Other Accompanying Adults:** All supervisors have a general responsibility for the care of pupils, not just for that part of it on which they are specifically 'on duty'. Party leaders should supply them with detailed information, and should brief them orally, to enable them to carry out their supervisory duties effectively.

**Tour Operators:** The Package Holiday Regulations (1992) place a duty of 'due diligence' (ie a duty of care) firmly on the shoulders of tour operators, thereby reducing much of the Party Leader's responsibility for assessing suitability of accommodation, travel and other arrangements made for a school journey.

By the same token, ALL tour operators must by law provide security for the refund of money paid to them and for the repatriation of clients in the event of insolvency. Details of individual bonding and client protection arrangements will be found in all tour operator brochures – if you are unsure, ask your operators for details of the cover they provide and, if you are still concerned, contact the body providing the guarantees for confirmation of the operator's cover. Bonding through ABTA, AITO or an ATOL licence are perhaps the most readily recognised guarantees of client protection, but providing protection via insurance cover or a trust fund are also legally recognised means of providing this cover. HASPEV sections 201-203 covers the use of tour operators.





### 3 CHOOSING A TOUR OPERATOR

Leaders should look for the following:

- reliability – the company should be reputable,
- having an appropriate programme – not only the relevant curriculum programme to match aims, but also convenient dates, appropriate pick-up arrangements and timings, suitable accommodation and insurance arrangements
- acceptable booking conditions – scrutinise any limitation of liability, the cancellation terms and the insurance package on offer
- suitable safety procedures. For detailed guidance on this subject, see HASPEV 'Standards for LEAs', sections 56-61
- the right price, reflecting value for money in comparison with other offerings
- an interesting and relevant programme
- appropriate supporting literature and liaison

### 4 THE PLANNING STAGE

*I have organised countless school visits over the years. Take it from me that using an experienced tour operator is much easier!*

The following 'flow chart' shows you the different stages involved in planning an educational visit:

- 1 Proposed Visit/Activity, with educational objectives and in line with school policy, is agreed by the Head Teacher in consultation with the school's Educational Visits Co-ordinator ( EVC ), and possibly following initial advice from the LEA Outdoor Education Adviser.
- 2 Organiser/leader approved by the Head
- 3 Ensure school organiser/leader is appropriately trained for the category of visit
- 4 Choose a tour operator (see Section 3 above)
- 5 EVC/Leader to check that the proposed operator is reputable and has the correct expertise and good practice

- 6 Obtain LEA's approval for the visit and activities where necessary
- 7 Liaise with the operator over:
  - travel, venue and activities
  - risk management
  - qualifications of any activity leaders
  - insurance arrangements
  - financial security arrangements
  - pupil/supervisor ratios
- 8 Communicate regularly with the tour operator
- 9 Follow school's procedure for communicating with, and involving, pupils and parents

### 5 KEY POINTS FOR ORGANISING A SCHOOL VISIT

*Consult the school's EVC early on and obtain permission for the visit.*

#### Aims and Objectives

*Every educational visit should fulfil a clear aim and purpose. Remember that a refusal to take a disabled pupil on an educational visit would have to be justified or it will be unlawful.*

Early on the leader must determine the aim and purpose of the visit, whether it accords with the school's curricular aims, which pupils it would benefit, whether the aims could be achieved in a different way, and whether the proposed venue is the best for the purposes.

*Tour Operators are experienced in advising on the suitability of venues and activities for pupils of different ages, aptitudes and abilities. They can often make changes to published programmes if approached early enough.*





## 6 SUGGESTED SUPERVISION RATIOS

Many LEAs set their own levels, but the DfES recognises good practice for local visits of:

- 1 adult for every 6 pupils in years 1 to 3 ( with under 5s reception classes having a higher ratio)
- 1 adult for every 10 pupils in school years 4 to 6
- 1 adult for every 15- 20 pupils in year 7 onwards

However, these ratios are for good conditions. Leaders in consultation with the EVC must determine what is necessary for the specific visit with the particular pupils.

*Tour Operators are experienced in supervision and have their own recommended levels of supervision, often exceeding those in HASPEV. They must be consulted at this early stage, particularly if there are members of the group who have special requirements.*

## 7 ADVENTURE CENTRES

Over 900 adventurous activity providers currently hold licences, but not all providers have to hold licences. Holding a licence means that a provider has been inspected and complies with the criteria for the Adventure Activities Licensing Authority (AALA).

**A list of licensed Activity Centres can be obtained from the LEA's Outdoor Education Adviser, or found on the AALA website [www.aala.org.uk](http://www.aala.org.uk)**

Most reputable UK adventure centres that are outside the scope of licensing are members of the British Activities Holiday Association and are subject to their code of practice and inspection. Website: [www.baha.org.uk](http://www.baha.org.uk)

## 8 VISITS ABROAD

*Visits abroad are inherently different from those in the UK. Different inspection and licensing arrangements exist in different countries. Tour Operators are expert in these matters and, in my view, you would be foolish to ignore that expertise. You should expect a reputable Tour Operator to be able to show due diligence in selecting overseas suppliers, eg confirmation that hotels, hostels and centres that they use comply in full with local legislation.*

Nevertheless, you must satisfy yourself that all accommodation and other aspects of your stay abroad conform to the standards you expect for the programme of activities you are undertaking.

## 9 INSPECTION VISITS

**Preliminary visits are sometimes important and encouraged by Tour Operators, especially to new destinations.** They help group leaders to properly risk-assess the supervision aspects of the visit, by gaining advance familiarity with the location, accommodation etc. But Tour Operators can also provide all the necessary information if you decide that a preliminary visit is unnecessary.

## 10 HEALTH AND SAFETY CONSIDERATIONS

*I stress again that leaders need to have read the HASPEV guidance, and the latest supplement, and any guidance provided by their LEA, taking into account the particular activities of the group.*

Leaders will be expected to carry out risk assessments on every potential risk, but this is not as onerous as it first appears. Teachers are doing risk assessments every moment of the school day. The difference here is that leaders are being asked to do them more formally and in unfamiliar conditions.

## 11 ADMINISTRATION AND FINANCE

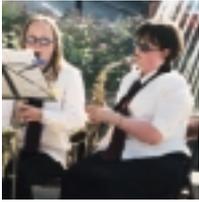
You will have to use both the forms and procedures required by the school and the Tour Operator. All such requirements have a purpose, and should be followed meticulously. The school in its arrangements should have taken into account the Regulations concerning charging pupils for visits. These are contained in Circular2/89 Charging for School Activities.

*The returns requested by the Tour Operator, and the deadlines set, are of crucial importance in ensuring that all your requirements are met.*

*Make sure that within the school you have arrangements to meet the Tour Operator's dates for such items as:*

- Numbers and Details of the group members
- Stage payments
- Passport information
- Dietary requirements
- Insurance information





## 12 FUNDING

Some Tour Operators have tips for helping schools to raise money for the visit. Ask for details.

## 13 INFORMATION FOR PARENTS AND PUPILS

Schools will have their own arrangements and forms for informing parents and pupils. These should be completed meticulously. Parent and pupil briefing sessions must also be prepared carefully. It is important that parents have the fullest possible information about the visit and activities. Remember that some names of activities mean little or nothing to some parents ( eg abseiling ) and need to be carefully explained.

*Find out whether your Tour Operator can help with materials – literature, brochures, photographs and videos.*

## 14 PARENTAL CONSENT FORMS

Parents are demanding more and more information, even though schools go out of their way to provide up-to-date and relevant details.

*It is worth considering in the parental acceptance form a note explaining that it is not possible for anyone to guarantee 100% safety, but that the leader and colleagues will retain the overall pastoral responsibility that they have when teaching pupils in school, and which is well established in law. The law requires teachers to do everything reasonably practicable to ensure the safety of everyone in the party, and the leaders will use their skills and experience as adults and teachers to protect the health, safety and welfare of the pupils.*

What this indicates in short is that teacher leaders will act with the degree of care that any responsible parent would demonstrate for his/her children's safety. In signing the statement the parents would be acknowledging and accepting this statement of the position of teacher leaders.

## 15 ON THE VISIT

The DfES ' A Handbook for Group Leaders' includes detailed advice on the practicalities, including Supervision, Ongoing Risk Assessment, Emergency Procedures, and Specific Activities.

*Tour Operators, too, give advice to leaders. They can advise on registering and checking groups, the 'buddy system', stopping points and rest periods, recreation on coaches/trains/ferries, first aid arrangements, and communications.*

## 16 USEFUL CONTACTS

Enquiries about the DfES 'Health and Safety of Pupils on Educational Visits' and the Supplements can be made to the DfES Pupil Health and Safety Team. Tel. 020 7925 5536

HASPEV and the Supplements contain a comprehensive list of useful contacts, but leaders might find the following worth noting.

**The School Travel Forum** has a website:  
[www.educationaltravel.org.uk](http://www.educationaltravel.org.uk)

**Licensed activity facilities**  
Details of current licence holders from the Adventure Activities Licensing Authority ( AALA ) at <http://www.aala.org.uk>

**Independent Schools Adventure Activities Association (ISAAA)**  
at [www.malcol.org/isaaa/](http://www.malcol.org/isaaa/)

**British Activity Holidays Association (BAHA)**  
[www.baha.org.uk](http://www.baha.org.uk)  
Tel 01932 252 994



*“I am happy to place on record that the government supports the role of adventure as part of active education, especially in helping young people to learn about assessing and managing risk, in offering them new and exciting challenges, and in helping them to gain skills in leadership and team working that will be of huge value in their progression to adulthood.”*

(The Prime Minister, Tony Blair, quoted in Part 2 of the HASPEV Supplement)



**This guide is dedicated to all school group leaders. It is funded by The School Travel Forum, a group of educational tour operators committed to developing with leaders the best practice in educational visits.**

**Further copies of this guide can be downloaded from  
[www.educationaltravel.org.uk](http://www.educationaltravel.org.uk)**