



Lifeboats

**HELPING YOU TO RAISE MONEY
SAFELY**



A Guide for Safe Fundraising

March 2012

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INTRODUCTION by E COLEMAN & Co. Ltd.

This document is not intended to be viewed as a full description, summary or analysis of the relevant legislation and regulations. It is written as a general guide and should not be relied upon as a substitute for specific legal advice. Specific queries regarding any legal requirements should be referred to the RNLI Legal Department.

The information contained in this document is for guidance only and no responsibility can be accepted by E Coleman and Company Limited for any action taken as a result of the information provided below. We recommend that specific advice is requested for individual circumstances in order that a bespoke solution can be provided.

Coleman Insurance Brokers effect a comprehensive insurance and risk management programme on behalf of the RNLI and are pleased to have the opportunity to offer advice and assistance to event organisers to help you raise money safely.

1. EVENT ORGANISATION

By the very nature of the RNLI, many staff will be involved in the organisation of fund raising events. An accident at one of these events can unfortunately ruin all of the effort you have put in to make it a success.

As well as the possible financial consequences of an accident, the RNLI may also be affected by adverse publicity and loss of goodwill. Many accidents can, however, be avoided if you consider potential hazards in advance and take simple precautions.

Your attention is therefore drawn to various aspects of event organisation that should be considered. This is, however, by no means an exhaustive guide because as you will appreciate, not all hazards can be envisaged.

1.1 Legislation

All entertainment events are classed as work activities and therefore subject to the Health and Safety at Work Act and the various regulations passed under it. In addition licensing legislation may also apply. An event organizer has a duty to ensure that any premises including open spaces, means of access and egress and any plant, equipment and substances are safe and without risks to the health of any employees, volunteers or visitors.

A common duty of care also arises under the Occupiers Liability Act 1957 (amended in 1984) to ensure that visitors will be reasonably safe in carrying out the activities for which they were invited, or permitted to be, at the event.

Under the Licensing Act 2003 certain activities such as Garden Fetes are exempt from the need to obtain a license. If alcohol is for sale, however, a license will be required. Reference should always be made to the Local Authority Licensing Department to check whether or not an activity needs to be licensed.

Remember that the Health and Safety Executive (HSE) now regards persons who make use of volunteers as employers and volunteers as employees. The same level of training, information and protection must be provided to both employees and volunteers.

1.2 Advice for the Trustees regarding Professional Fundraisers and Commercial Participators

As trustees of the RNLI if you decide to raise funds by employing a professional fundraiser, or by entering into a promotion with a commercial participator, you need to be aware of the provisions of Part II of the Charities Act 1992, and the Charitable Institutions (Fund-raising) Regulations 1994, these include requirements for:

- A written agreement, in a prescribed form, between the RNLI and the professional fundraiser or the commercial participator;
- A clear statement to be given to inform potential donors what proportion of their donation will be used to pay the costs of the fund raiser;
- The public to be informed how the RNLI will benefit from its involvement with a commercial participator;
- Transfer of funds raised by professional fundraisers or commercial participators to the RNLI.

1.3 Unauthorised Fundraising by Professional Fundraisers or Commercial Participators

Where a commercial participator or professional fundraiser is acting without an agreement from the RNLI (or in accordance with an agreement which is not in the prescribed form), the court may grant an injunction restraining the fundraising.

In addition, it is also possible for the trustees to stop funds being raised in the name of the RNLI where:

- The fundraiser is using methods to which the RNLI as a charity objects
- The fundraiser is not a fit and proper person to raise funds for the RNLI
- The RNLI does not wish to be associated with the fund raising venture

Further details are available from The Home Office and The Charity Commissioners.

1.4 General Guidance

Safety need not be financially expensive, but effective organisation can be expensive in time. Planning needs to take place well in advance of the event.

Each individual involved in the organisation of an event should have a clearly defined area of responsibility and this should be communicated to all of the others involved. For a larger event or one that is spread over a large area, you may wish to consider a central control point with one specified person to take overall control in the event of an emergency.

If equipment such as benches, chairs and tables need to be set up or moved, you should carry out a risk assessment first of all to establish the safest way of moving the equipment. Back injuries through poor handling of loads are unfortunately all too common and can result in permanent disability. You should therefore ensure that the people assisting in this task do not have back problems. Do you need to consider the use of lifting equipment? If so, the people who will be using it need to be trained and experienced in the handling of such equipment.

For some events, you may need to consult with the local Police or Fire authority for advice. You should only carry out appropriate risk assessments where the event is being organised by the RNLI.

Where a third party is raising money on behalf of the RNLI they must complete their own risk assessments, and you should not carry this out on their behalf as potentially this could infer a liability on the RNLI which would not otherwise have existed. If in doubt about how to carry out a risk assessment please refer to Colin French or Natasha Hepworth at RNLI HQ Poole. A risk assessment is not only a requirement under Health and Safety legislation but is also a useful defence document should a liability claim arise.

There is no legal requirement to display details of RNLI Public Liability insurance arrangements, although details should be given to anyone reasonably requesting this information, such as a Local Authority when you are hiring their premises for a fund raising event.

1.5 Alcohol



Alcohol is a major contributor to, and in some cases the root cause of, many serious accidents. Whilst an animal ride or a go on the bouncy castle might seem like a good idea at the time, it can result in serious injury when mixed with alcohol.

Further, as the HSE remind us every year, alcohol and fireworks do not mix. If your event features potentially hazardous activities such as target shooting with guns and bows, pole climbing and bar fly jumping, and you are planning to have a beer tent, you should consider whether the two are compatible. It should also be borne in mind that it is a criminal offence to serve alcohol to a person who is drunk.

1.6 Disclaimers of Liability

You may wish to display disclaimer notices (in car parks or cloakrooms for example). If so, you should ensure that they are clearly displayed in a prominent position i.e. at the entrance so that it can be seen before people make the decision to leave their property. You should, however, be aware that under the Unfair Contract Terms Act 1977, you cannot restrict or exclude your liability for death or personal injury caused by negligence by reference to any contract or to a notice. In all other cases, the exclusion is subject to the test of reasonableness.

1.7 Insurance

As organiser, it is your duty to ensure that all reasonable precautions are taken to prevent loss, damage, accident or injury. Whilst many of the more 'day to day' events such as the occasional jumble sale or car boot sale, video horse racing evenings, the rattling of collecting tins outside your local supermarket and exhibition stands in the local shopping centre will generally not concern your Insurer, more potentially hazardous activities will require individual consideration by your Insurers, as may events where you are expecting a large attendance.

For certain activities, Coleman's may even need to make separate insurance arrangements for you. 'Last minute' advice may leave Coleman's insufficient time to arrange insurance cover for you, thus jeopardising the event. It is therefore extremely important that you provide the RNLI Insurance Team with as much information as possible well in advance of the planned event to ensure that the necessary insurance is put in place for you.

If you are in any doubt as to whether or not an event you are planning should be notified to your Insurer, you should contact the RNLI Insurance Team as soon as possible.

All documentation relating to an event (i.e. minutes, letters etc) should be kept by an appointed person. If an accident occurs and a claim is subsequently made against you, these documents could be the evidence needed to prove that you took all reasonable precautions.

If you are inviting people who are not members of your organisations to put on side shows, rides, stalls, displays and the like, you need to make them responsible for their own property and for any accident or injury they cause.

Commercial firms (i.e. Operators of Bouncy Castles, Fairground Rides, and Donkey Rides) should have their own insurance as should the better known fund raising organisations (i.e. Lions or Rotary) and groups giving displays.

To obtain clarification on this matter, you should ask them to provide you with written evidence of their public liability cover.

You may be asked to sign an indemnity agreement, particularly if you are hiring equipment or premises. Some of these require you to effect cover that is beyond the scope of your insurance policy, or may commit your insurers to providing an indemnity to another party which in the event of a claim would reflect on the RNLI claims experience. In such instances, you should contact the RNLI Insurance Team before signing the agreement, to clarify what is and what is not covered by your insurance. In appendix 3 you will find an example of such an indemnity.

Where the event you are organising involves the M.o.D., an assault course for example, you will probably be required to sign a Crown Indemnity. We would ask you not to sign the indemnity form as you are agreeing to indemnify the M.o.D. in respect of their liability.

It is very unlikely that your existing insurance policy will provide this cover and there are very few Insurers in this market. You will therefore need to contact the RNLI Insurance Team well in advance of the event.

If you allow your premises to be hired by another organisation, it is advisable to obtain evidence of their public liability insurance. You should also notify the RNLI Insurance Team to check that your policy cover is not affected.

Further, you need to ensure that all areas of the premises not in use are secure and that someone (for example, your caretaker) is responsible for checking that the premises are secure at the end of each day and that any alarms are set.

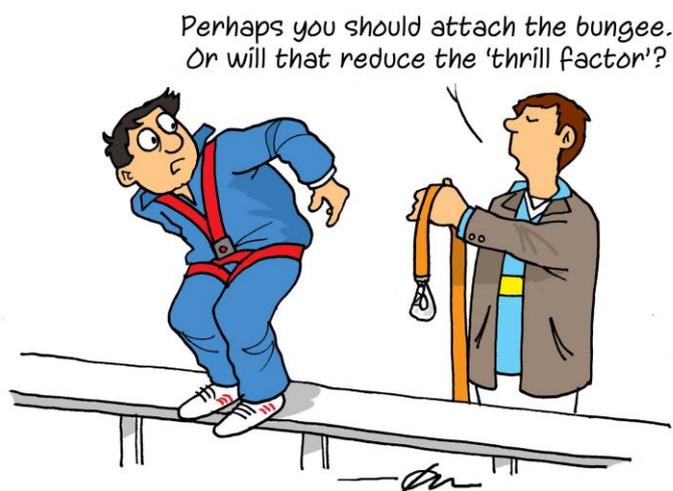
1.8 Additional Insurances

For some types of event it may be appropriate to arrange additional insurance. For outdoor events where adverse weather conditions could result in the event being unable to go ahead then Cancellation Insurance may be available, although advance notice is required by insurers.

Prize indemnity insurance can be arranged for events such as golf tournaments where a car is put up as a prize for a 'hole in one', or games of chance such as throwing six sixes with dice.

If non appearance of a celebrity means that an event has to be cancelled and refunds made it may be possible to arrange insurance for this type of event. Please contact the RNLI Insurance Team for further details and we will be happy to advise you regarding premiums and availability of cover.

2. HAZARDOUS ACTIVITIES



Fund raising often involves activities that attract sponsorship due to the 'thrill' factor. All such activities carry varying levels of risk as far as the participants are concerned and are usually undertaken by people with little or no experience.

It is your responsibility as organiser to ensure that all reasonable steps are taken to make participation as safe as possible. This will involve careful and expert assessment of the risk well in advance, supervision and the provision of full and adequate equipment.

In the event that a dangerous activity is to be organised then this should only be done using a company specialising in this type of event as the RNLI Public Liability insurance will not automatically cover such activities.

The following is a list of potentially hazardous activities, although this list is not exhaustive and if in doubt you should contact the RNLI Insurance Team for guidance before proceeding, as it may be necessary to contact insurers for the arrangement of suitable cover:-

Rock climbing
Abseiling
Jet-skiing
Water skiing
Sub aqua diving
Dry slope skiing
Clay pigeon shooting
Archery
Assault course
Barfly jumping
Bungee jumping
Pole climbing
Caving
Parachute jumping
Ballooning
Gliding
Flying
Bonfire and fireworks displays
Truck pull
White water rafting
Sumo wrestling on pontoons

2.1 Airside Events

As a general rule Public Liability policies carry a market exclusion for events held airside, that is to say where activity is being carried out on the airport runway, pans or taxiway. Cover can usually be agreed for events held airside providing advance notice of at least 7 working days is given with full details of the activities. It will be a proviso that the event is being held in an area of the airport away from which aircraft land, manoeuvre, and park or take off. For example if an airport is closed whilst the event is being held this would usually be acceptable. Each instance will need to be individually agreed.

2.2 Bouncy Castles



Bouncy castles are a common feature at fund raising events. Government statistics indicate that every year there are approximately 10,000 accidents resulting in injuries to children arising from the use of inflatable bouncy castle within the UK. Of these, some 4000 were caused by

bouncy castles being used at home and 6000 locations away from the home. Many of the injuries were serious, including broken bones and severe lacerations.

Before hiring a bouncy castle always ensure that that the hire company;-

- Fully complies with the safe use and operation of play inflatables including bouncy castles guidance issued by the PIPA inflatable Play Inspector Scheme. This guidance can be downloaded from www.pipa.co.uk
- That the company is responsible for setting up, operation and supervision of the bouncy castle using competent employees.
- The company provides evidence of public liability insurance with a limit of indemnity of at least £5M. If in doubt as to the suitability of the insurance arrangements please refer to the RNLI Insurance Team.

2.3 Firework Displays and Bonfires



Firework displays should wherever possible be organized and operated by the manufacturer of the fireworks or a professional operator using fireworks which comply with the appropriate British Standard. Every year people are seriously injured as a result of related accidents despite the repeated media warnings. The RNLI Combined Liability Insurance policy does not automatically provide cover for firework displays and should cover be required it may be possible to arrange this in certain circumstances.

In order that insurers can have time to consider the provision of cover please give at least 10 working days notice of the event and you will need to provide the following information as a minimum:-

1. Is the event organised in accordance with DTI regulations? Please see www.dti.gov.uk/fireworks for further guidance
2. How many stewards/volunteers will attend to ensure the safe running of the event?
3. Will there be a bonfire and if so how far away will this be from the crowd and buildings?
4. Will there be staging and seating erected?
5. Has permission from the local authority been sought and granted?
6. Has the advice of the Police and Fire Authority been sought and granted?
7. Will the public be advised not to bring fireworks and how will this be monitored?
8. Will the site be alcohol free and how will this be monitored?
9. Will persons suspected to be under the influence be barred?
10. How many people are expected to attend?

Car parking areas should be sited away from the display area and dropping zone. Signpost clearly and keep vehicular entrances away from pedestrian access.

A sufficient number of marshals need to be provided and access to the site controlled to prevent alcohol and fireworks being brought in by members of the public.

Clearly display signs that no fireworks or alcohol are to be brought in by members of the public. Signs should appear at each entrance.

Qualified first aiders with suitable equipment should attend all organised Bonfire and Firework displays.

Whilst these safety notes are intended to raise your awareness, there may be additional factors to be considered. For further advice and guidance on this matter as well as on other hazardous activities, you will also need to contact your local HSE inspector or Environmental Health Officer.



2.4 Waterborne fundraising events

The RNLI arranges Third Party Marine Liability insurance for its activities on water and this includes cover for fundraising events examples of which are agreed with insurers are canoe races, raft races, dragon boat races, tug of war, swimming, walk the plank, greasy pole, duck races, Lifeboat Station open days including going on board a lifeboat and naming ceremonies.

All such events must be risk assessed in the usual way and any potentially dangerous activities should be avoided. If in doubt please contact the RNLI Insurance Team for further advice.

If any items such as pontoons are to be hired or loaned and the structure needs to be insured then at least 7 working days notice is required in order for the appropriate cover can be put in place.

2.5 Animals

If animals feature as part of your event (donkey rides, pet shows, obedience trials for example), you should ensure that there is adequate separation between the public and the animals, particularly if they are pets and unused to crowds.

Animal rides should take place in a quiet area away from any noisy distractions, which may startle the animal and cause it to bolt. You should also ensure that the animals are placid in temperament and used to these types of activities.

2.6 Fairground rides

These should be provided with a Safety Test Certificate. The event organiser should liaise with the ride operator to ensure that the requirements laid out in the relevant HSE Guidance Note can be fully met.

3. VENUE

As event organiser, you need to consider the suitability of your proposed venue: is the venue you have chosen suitable in terms of size and access? To help you to arrive at your decision, we suggest that you consider the following points:-

- are the buildings large enough with sufficient entrances and exits for the numbers anticipated?
- are the exits clearly marked?
- does anyone participating in the event need to bring in equipment? If so, are the doorways wide enough?
- are there awkward steps or corridors to negotiate?
- are there sufficient people to help unload?
- will vehicles need to be brought close to the entrance and if so, what are the traffic implications?

You should contact your local Fire Prevention Officer (and the owners of the property if you are hiring premises) to ensure that the proposed use is acceptable and that you are not breaching any fire regulations or lease/tenancy agreements.

3.1 Electrical Cables

If an electricity supply is required (perhaps for the PA system or lighting and sound equipment), the electrical cables should be laid away from public thoroughfares to stop people tripping on trailing wires. The use of adapters and distribution boards to increase socket access should be strictly controlled. The equipment should be properly installed and inspected by a competent person.

3.2 Spacing Between Stands and Attractions

Plan the layout of the event; for example if you are planning to have a target shooting or archery stand, ensure that there is enough space for people to shoot safely and that there is no public access behind the stands.

3.3 Use of Temporary Trestle Tables

Bearing in mind the fact that the tables could be standing on uneven ground and could be knocked by people attending the event, you need to consider whether the tables are suitable stands for hot drinks

3.4 First Aid

You need to consider whether or not the event warrants formal first aid facilities, for example, attendance by St John's Ambulance. Even if not, it is advisable to arrange for someone with a qualification in first aid to be in attendance – perhaps one of your employees or volunteers.

You

should then make sure that everyone assisting at the event knows who this person is and where

he or she can be found.

3.5 Crowd Control

If you are anticipating a large attendance, you should consider whether some form of crowd control is necessary. Are you expecting visitors to arrive on foot or by vehicle? If both, the vehicle

and pedestrian entrances and exits should be kept separate where at all possible. Could there be

a bottleneck at the entrance (to collect entrance money for example) and if so, could this create congestion outside the venue? Can this be avoided? Does the event warrant a Police presence to

assist in crowd or traffic control?

If you intend to provide car parking facilities, you may need designated marshals to guide the cars. The marshals need to wear fluorescent vests to ensure that they are clearly visible. You should ensure that there is an overall plan and that there is a person responsible for briefing the

marshals. If the event is spread over a large site, the marshals should be able to communicate with the central control point.

If part of the event requires cordoning off (i.e. a show ring or a bonfire and fire work display), you

need to consider whether the material used will prevent people, particularly children, from creeping forward beyond the cordon.

3.6 Marquees

Marquees should be supplied by a specialist company, and erected by competent people. All the supporting poles, frames, guy ropes, stakes anchors and fastenings etc should be checked regularly on site. Exit routes from marquees may be located over uneven ground, temporary flooring etc. These should be taken into account to ensure that there are safe entry and exit routes.

Always check that the company carries public liability insurance for at least £5M. A bona fide company will be happy to show you evidence of their insurance arrangements.

3.7 Cash Handling



Consideration must be given before the event to handling of cash and the security of those involved in collecting and banking money. Every stall or attraction should be provided with a cash box of some kind in which to collect entry charges and payments.

A float will be required for each cash collection point at the start of the event, and takings must be removed on a regular basis during the course of the event so that large sums of cash do not build up. If admission and other charges are set at a round amount, this avoids the need for large amounts of small change. Selling tickets in advance will reduce the amount of cash you have to handle on the day itself.

A secure place must be decided upon in advance in which to collect cash and count it prior to banking. A safe could be used to keep cash in overnight before banking the next day. If considered safe to do so you could use a bank night safe facility. Ideally a professional security company should be used to collect cash on the same day. Remember the safety of people is always more important than the protection of money.

Under your current insurance arrangements it is a policy condition in respect of any one transit that the following minimum number of able-bodied adults shall carry the money which shall be divided equally between them as follows:

AMOUNT	NO. OF PERSONS
£1 to £2,500	1
£2,501 to £7,500	2
£7,501 to £10,000	3
£10,001 and over	Specialist Security Company

3.8 Raffles:

There are three types:

1) Small. If you hold a raffle at a one-off event where it is not the focus, for example a dinner or dance, you do not need a license. However, you can't have money prizes (except for store vouchers), or spend more than £250 on prizes (not including donated prizes). The raffle must also be drawn at the event.

2) Private – If you hold a raffle through your workplace, school or club you will not need a license. However, you will only be able to sell tickets to members of the above, and they must be printed, as per the Lotteries Act, but no registration is required of the raffle.

3) Public – If the raffle is open to a wide audience over a long period of time you need to register with your local authority. You will be the promoter, therefore personally liable for its organisation.

Information on The Lotteries and Amusement Act 1976 is available from the Gaming Board – 020 7306 6200, www.gbgb.org.uk or your local library should hold a copy

4. PARADES AND CHARITY WALKS

Large numbers of people walking along roads obviously creates a hazard, and unless adequate precautions are taken to safeguard walkers, there is a high risk of death and injury. In hours of darkness the danger is even greater and therefore The Royal Society for the Prevention of Accidents (RoSPA) discourages walks at night. Whereas in the past the police would take control of walks and parades, close roads, stop traffic and provide general marshalling, they are now much less likely to be prepared to do so. This means that there is much greater responsibility on the organizers to provide the necessary stewarding.

4.1 Initial Planning

The following should be done prior to the event:

- Contact the local police for guidance and give them full details of the route, numbers involved, times and nature of the walk or parade.
- Ask the police if they are able to marshal the event. They may still be prepared to do so in your area.
- Assess if any official road closures are required for the event. If so, contact the local authority. Note there is normally a charge for this application.
- Carefully plan the route to avoid dangerous junctions and minimize the number of roads which need to be crossed. Restrict walkers to a single side of the road.
- Recruit sufficient numbers of safety marshals so they can be positioned at all key points; at road junctions, at the front and rear of the walkers and alongside the offside of the road.
- Provide marshals with high visibility jackets
- Remember that members of the public do not have any legal powers to stop or direct traffic. However, drivers do have a duty of care and should stop if someone in a high visibility jacket is helping children to cross the road.

4.2 RoSPA advice for charity walks

1. A minimum age of at least 16 years is preferable
2. Where younger persons are included they should be adequately supervised by responsible adults
3. Suitable walking footwear should be worn
4. Bright clothing should be worn by walkers to help drivers to see them. During the day, wearing something fluorescent is best. In the dark walkers should wear retro-reflective materials.
5. The police should be asked for their advice on the choice of route, time and day and their directions should be obeyed.
6. In any event, heavily trafficked roads should be avoided, especially at night
7. Walkers should be started at intervals; mass starts are dangerous
8. The start and finish should be off the road
9. Walkers should be reminded of the requirements of the rules and the illustrations of signals to other road users under the Highway Code.

10. Where there is no footpath, participants should walk on the right hand side of the road, facing oncoming traffic
11. Any vehicles used in a supervisory capacity should not travel at a slow speed and cause obstruction to other traffic.
12. In rural areas walkers should be sure to close any gates they have to pass through, so that animals cannot stray onto the highway
13. There should be a follow up system so that no participant is left behind needing help

5. EVENTS HELD IN PRIVATE HOMES

There are many instances where RNLI authorised fundraising events will be held in private homes or the grounds, these will range from coffee mornings, bring and buy sales, garden parties, fetes and open garden events where food and drink are supplied.

There has been a lot of controversy in the media recently concerning the insurance of such events and it is understood that fundraisers need clarification on this subject. Coleman's in conjunction with RNLI have taken legal advice in order to be completely clear.

Because of the Occupiers Liability Act 1957 the person exercising control over who is allowed to enter the premises (the homeowner) is deemed to be liable for any injuries sustained by visitors from such things as loose paving stones, pot holes in the driveway, overhanging hedges or nails sticking out of a gate to give but a few examples.

In the first instance the homeowner should contact their home insurance provider and advise them of the event being held and enquire whether the policy will provide liability insurance. The answer is very much determined by the home insurance provider. High Net Worth household policies with providers such as Chubb Insurance do generally include cover for charity garden parties, open gardens and similar events, although reference should always be made to insurers for clarification.

In the event that the home insurer will not provide liability insurance for an RNLI authorised fund raising event Coleman's have negotiated a contingency liability cover with Zurich Insurance.

Liability cover for RNLI property brought to the premises such as trestle tables and chairs which might collapse and cause an injury will be provided by Zurich the liability insurers for RNLI.

Where an event is being held In Aid of RNLI the organiser still needs to check with their home insurer and if they will not provide liability insurance for a charity fund raising event then the home owner will need to arrange their own insurance. Coleman's suggest Event Insurance Company www.events-insurance.co.uk telephone 0800 515 908 who can give both insurance advice and offer a product that may be suitable.

6. SALE OF SECOND HAND GOODS

Each year many dangerous items (particularly electrical items) are generously donated to charities with the end users often being the most vulnerable members of society. Whilst these items are given with the best of intentions, the end result could be injury or possibly death. These guidance notes are designed to help you avoid accepting the most hazardous items and to ensure the safety of those who purchase from you. A responsible person should be

appointed to check through the items prior to sale to eliminate any items which seem dangerous by their nature or condition.

6.1 Furniture and soft furnishings

The Furniture and Furnishings (Fire Safety) Regulations 1988 govern the sale and supply of new and second hand furniture and furnishings. The law applies to retailers, second hand shops and charity shops as well as auctioneers.

The regulations apply to upholstered domestic furniture, including settees, chairs, bed bases, mattresses, headboards, stools, dining chairs, sofa beds and garden furniture suitable for indoor use. Nursery items such as prams, pushchairs, playpens, cots and carrycots are also included. Cushions and pillows are controlled as well as loose covers for upholstered furniture.

Any furniture manufactured and sold since 1990 should comply with the regulations. Any upholstered furniture made before 1950 is totally exempt, even if it has been re-upholstered.

You should be able to tell that furniture complies with the Regulations as a 'permanent' label should be attached to the item. This is normally headed 'CARELESSNESS CAUSES FIRE' and then states that the item complies with the Furniture and Furnishings (Fire Safety) Regulations 1988. It also explains in detail that the various components comply with the relevant ignitability tests.

Beds and mattresses do not have to have the permanent label, but usually have some indications that the Regulations have been met such as a blue 'BS 7177:1991/1996' label claiming compliance and showing the date of manufacture.

As a guide furniture and furnishings manufactured between 1950 and 1990 should not be accepted for sale.

6.2 Electrical appliances

Heating appliances and electric blankets should not be accepted. There is a substantial risk of these items being faulty and possible serious injuries and death resulting.

Other electrical items may be accepted for sale provided that you have them inspected and tested by a competent person, such as a suitably qualified and experienced electrician (preferably a member of the National Inspection Council for Electrical Installation Contracting (NICEIC), or the Electrical Contractors Association (ECA) before the goods leave your control.

A register should be kept of all items inspected, including date inspected, description and any serial numbers and the items should be tagged to show that it has been accepted. If it is not practical to arrange a professional inspection the best thing is to refuse donations or electrical and heating appliances.

6.3 Gas appliances

These items may be accepted for sale provided that you have them inspected and tested by a competent person, such as a gas installer registered with the Council for Registered Gas Installers (CORGI), and a record is kept of all items inspected, including date inspected, description and any serial numbers and the item should be tagged to show that it has been inspected.

6.4 Toys

Toys, including second hand toys, must comply with the Toys (Safety) Regulations 1995. It is now an offence to supply a toy that does not carry a CE conformity marking. Details must be included of the name, trade name or trademark and address of the manufacturers if they are established in the EU, or the importer if appropriate. The use of the CE marking is confirmation that all the provisions of the Regulations have been complied with.

Electrically operated toys (other than battery toys), must be inspected prior to sale by a qualified and experienced person in the same way as for other electrical items and details recorded as noted above.

Any other toys must be inspected prior to sale by a suitably trained and experienced person to ensure it complies with all the relevant regulations. Guidance can be obtained from your local Trading Standards Officer.

6.5 Children's Clothing

In order to prevent injury and possible strangulation in children, the Children's Clothing (Hood Cords) Regulations 1976 prohibit the sale or possession of a child's outer garment with a hood, where a hood cord is fitted. This includes second hand clothing. The regulations apply to raincoats, overcoats, anoraks and other garments suitable for outerwear. This includes tracksuit tops.

To see if the regulations apply, fasten the garment and lay it out as flat as possible. If the chest measures less than 44cm (approximately 17.5 inches) then the garment must not be fitted with a hood cord.

All clothing should be checked to see that it is clean and safe for someone else to wear.

7. FOOD



Food must be stored and served properly. Some foods must be kept refrigerated or stored separately from other foods (for example, cooked meats must be stored separately to raw meat).

Serving utensils and suitable hygiene clothing must also be used (for example, plastic gloves, aprons and hats). Your local Environmental Health Officer will be able to give you advice on food hygiene requirements. Please also refer to the information given in this booklet under the separate heading of 'Food Preparation'.

7.1 Food Preparation

The law in relation to food and food hygiene is a complex subject. Food hygiene legislation is enforced by each local authority in its area through the work of Environmental Health and Standards Department's Officers. These officers are available to give you advice and guidance. Information and advice should also be available from trade organisations. In some circumstances, it may be necessary to take legal advice.

The primary legislation on the safety of food is the Food Safety Act 1990 and the Food Safety (General Food Hygiene) Regulations 1995.

This legislation covers all operations involved in selling, possessing for sale, delivering, preparing, labeling, storing, importing and exporting food regardless of the size of the business.

This does not cover food prepared in the home for domestic purposes. But it does extend to activities that might not normally be regarded as 'commercial'. This includes non-profit making organisations such as your charity. Since it is an offence under the legislation to sell any food that fails to meet safety requirements, it applies not only to major retailers but also to small restaurants and cafes and to food sales at charity fund raising events.

The term 'sell' includes the supply of food provided that it is in the course of a business and the legislation applies to food given, for example, as prizes in competitions (for example raffle prizes).

It is intended that the occasional preparation of food for organisations like charities (i.e. in connection with a fund raising event) should not be subject to a regular programme of visits by enforcement officers. Advice has been issued to enforcement officers on how to apply the legislation in this area. Therefore, if you are planning to 'sell' food at a forthcoming event, you should contact your local Environmental Health or Trading Standards Department for advice.

Regulations made under the legislation require that most premises used by food businesses on five or more days within five consecutive weeks must be registered with the local authority in whose area they are located. This enables the authority to identify the number and type of food premises in its area and target their enforcement action effectively. There are exemptions under the Regulations for Premises covered by registration schemes in other food legislation and some low risk premises. Details of these exemptions can be obtained from your local Environmental Health Department.

If you are setting up a new food business, you need to register at least 28 days before you plan to open to allow enforcement officers to visit the premises to advise on matters of hygiene.

Many organisations with no permanent food premises of their own i.e. voluntary groups such as the Women's Institute or charitable organisations are not affected by registration. However, premises owned or controlled by voluntary or charitable organisations will have to be registered (unless these are permanent premises where only dry goods are stored for sale), as will those at short term events but where catering is provided over several days.

Regulations require food businesses to instruct, train and or/supervise food handlers working for them in a way commensurate with the job they do. Without regular, planned training of your staff, you may not be able to establish a defence of due diligence/ reasonable care should a problem arise.

Whilst further advice and guidance on the subject of food safety is available from your local Environmental Health or Trading Standards Department, outlined in Appendix 2 is a checklist for good hygiene practice.

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Appendix 1 - Safety Notes Relating To the Use of Inflatable Bouncy Devices

The equipment should be hired from reputable hire companies and set up, operated and supervised by the hire company's own employees.

Before hiring the inflatable bouncy device, you need to ensure that the hire company:-

1. Fully complies with the Health and Safety Executive Guidance Note PM76 – “The Safe Operation of Inflatable Bouncing Devices” (this guide deals with all aspects of safety) and the PIPA Inflatable Play Inspector Scheme.
2. Employs suitably experienced and trained adult staff where the hire company is responsible for the setting up, operation and supervision of the equipment
3. Provides written evidence of £5M current public liability insurance with an adequate limit of indemnity (at least £5 million). Whilst this insurance will cover the liability of the hire company, it is unlikely to extend cover to include the liability of the hirer.

The equipment should be clearly marked with the name and address of the manufacturer or supplier.

The safety instructions should include the following points:-

1. Children should not be allowed to use the equipment if there is a high wind or in wet weather;
2. The equipment must be adequately secured to the ground;
3. Soft matting must be placed adjacent to the open sides;
4. There should be responsible adult supervision, paying close attention to the children at play at all times during its use;
5. The equipment must not be overcrowded – the number of children using it at any one time must not exceed the number recommended in the hire company's safety instructions;
6. A rota system for different age or size groups should be operated together with the observance of any age limit of users (it is suggested that children over 10 years of age should not use the equipment);
7. All children must be made to remove footwear, hard or sharp objects such as jewellery, buckles, pens and other similar pocket contents. Eating while bouncing or performing acrobatics must not be allowed.

Appendix 2 - Checklist For Good Hygiene Practice

- Wash hands thoroughly before handling food and after using the toilet
- Always wash hands between handling different foods
- Always cover cuts, burns or abrasions with bright coloured waterproof dressings
- Do not spit, smoke, eat or chew gum when handling food
- Do not cough or sneeze over food
- Keep fingernails short and clean – do not use nail varnish. Avoid wearing finger jewellery
- Do not lick fingers when handling food or wrapping materials
- Keep hair short or otherwise properly covered
- Ensure that work clothes are clean
- If a food handler suffers from sickness or diarrhoea or infected cuts or sores, he or she should stop handling food, advise the employer and contact the doctor immediately.
- Keep the workplace, especially surfaces and utensils, clean

Other Useful Links

[Porthole The Hold Document](#) (CTRL+ Click to launch link)