

Surprises & Lessons From Major Incidents

1. Lewis Glenn _ Consultant, Past OB VP Safety
“Conflicting Objectives & How to Navigate Them”
2. Michael Lindsey _ Consultant, Past OB VP Safety
“Working With Families”
3. Steve Neal _ OB Risk Management Officer
“Media & Insurance”
4. Frances Mock _ OB Legal Counsel
“Legal Issues”

Working With Families

1. Initial Family Contact Timing “How its Changed”
2. Bringing Family Member(s) to Incident Site
3. Supporting the Family and Follow Up

Scenario #1 Separated Group

- A patrol of two assistant instructors and their students separated from their course leader for 4 days. And “lost” for 3 days

- OB had just informed family members that the group had been separated for a little over 24 hours after they were missing.

- Some family members drove to the road head, before senior OB staff arrived and the media and SAR (Sherriff) gave them inaccurate information.

Contacting Family Members In The World Of Instant Communication

1. Historically, initial contact with family members was easily managed by OB.
2. In current instant communication world, family members may learn of incident via media, social networking, from fellow course members etc.

Lessons Learned:

- Criteria of timing for contacting family has changed
- We did not believe the patrol was “at risk” with two instructors present, adequate food and equipment. Organization risk tolerance was not aligned with family’s.
- Senior staff need to be on site ASAP, even if incident not severe, but high visibility. Parents arrived on scene prior to OB senior leadership resulting in mistrust of the organization.

Scenario #2 Multiple Family Members Wanting to Visit Incident Site Following Fatality

- The OB VP of Safety, CEO, and Director of Safety, took a family member to the field.
- Other family members wanted to come at various times, as well.

Family Visit To Incident Site

1. Family member(s) may want to visit the site of an incident to gain understanding of what happened and/or have a sense of closure.
2. When taking family member(s) to the accident site, it is crucial to share only facts that are known and can be substantiated at that time.

Lessons Learned During Family Visits

- The organization's representative MUST have high credibility of program management (preferably the head of safety with personal field experience).
- Family Questions should be anticipated (use legal counsel, marketing, and other senior leadership) to help predict potential questions.
- Have a clear answer to the question “will we see the results of the internal investigation?”
- If at all possible ask the that the one family member act as the “spokesperson.”

Scenario #3 Supporting Families & Follow Up

Various Scenarios: Student who lost lower leg from falling rock, another died of unknown causes on a canoe expedition, and a fatality during independent travel

Family Follow Up Support And Follow Up:

1. In these incidents (and many others) the organization provided extraordinary levels of financial, personal, insurance and logistical support.
2. Long-term follow-up can be helpful for continued communication and illustrating the organization is invested in the family's future and well-being.

Lessons Learned:

- Staff at all levels should be informed that litigation is not a reflection of their level caring or their personal involvement/support of the family
- It is the “right thing to do” to support the family’s travel, lodging, provide site visits, and have a family liaison.” However, it does not eliminate potential litigation.
- Anticipate staff “not directly involved” in incident may be significantly impacted.

Midpines, and the Mystery of the Lost Patrol

“crisis event”

- An emergency situation including, manmade disaster (defined) or the actual or alleged mishandling of a natural disaster, that results in covered “bodily injury”, “property damage” or “imminent injury” to **multiple persons, AND**
- Is associated with or may be reasonably associated with adverse regional or national news media coverage.

Media Monitoring

Media	Type	Date	Time (EST)	Summary
CNN	TV	6/25	7:00	This is a 8-second breaking news report. The facts are correct, but it doesn't mentioned the guide had searched on his own for two days. It does not mention family members have been notified either.
CNN	TV (online version)	6/25	9:00	This is a straight news report with no accusations. Facts are from local authorities and are correct. No opinions are included and no questions are raised.
Examiner.com	web	6/25	10:00	Reprint of AP story.
KSL (Salt Lake City)	TV and radio	6/25	10:00	Reprint of AP story. There is a comment to the story on the website. The commentator says he is very familiar with the Sierra area. It is rough, but well traveled. So it is hard for him to imagine the 11 people would get into so much trouble.
CBS2 (LA)	TV	6/25	10:00	Reprint of AP story.
The Mercury News (Silicon Valley)	Newspaper	6/25	10:00	Reprint of AP story.
WDTN (Dayton, Ohio)	TV	6/25	10:00	Reprint of AP story.
KCOY CBS12 (California Central Coast)	TV	6/25	10:00	Reprint of AP story.
AP	News wire	6/25	12:00	This is a straight news report with no accusations. Facts are from local authorities and are correct. No opinions are included. It mentions that the guide who separated spent two days searching the group on his own, but the reporter does not raise any question about why it took so long to call the authority.
KMPH Fox 26 (Fresno)	TV	6/25	12:00	This is a news report with no opinions or accusations. It focuses on the ongoing search. Facts are correct and no questions are raised. It gives slightly more details and mentions that the guide spent two days searching for the group before he reported to Outward Bound, who called the authorities.

- Establish a good working relationship with local Land Managers, Fire, Rescue and Law Enforcement.
- Design your Emergency Response Plan to align with the National Incident Management System (NIMS).

Crisis Response

Insurance, Communications
and the Media.

Are you covered????

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ENDORSEMENT # 007

This endorsement, effective 12:01 AM 05/01/2011

Forms a part of policy no.: 013136407

Issued to: OUTWARD BOUND, INC.
RIAK MANAGEMENT

By: LEXINGTON INSURANCE COMPANY

CRISIS RESPONSE COVERAGE EXTENSION ENDORSEMENT

This endorsement modifies insurance provided by the policy:

- o **CRISIS RESPONSE NOTIFICATION TELEPHONE NUMBER: 888-790-7233**

THIS ENDORSEMENT EXTENDS COVERAGE TO PROVIDE FOR "CRISIS RESPONSE COSTS" AND "CRISIS MANAGEMENT LOSS" IN THE EVENT OF A "CRISIS EVENT" AS DEFINED HEREIN. THE LIMITS OF INSURANCE PROVIDED FOR SUCH COVERAGE ARE IN ADDITION TO THE LIMITS OF INSURANCE PROVIDED IN THE DECLARATIONS OF THIS POLICY. IF THIS ENDORSEMENT IS ATTACHED TO A CLAIMS-MADE POLICY, THIS ENDORSEMENT NEVERTHELESS REQUIRES THAT ALL OF THE CRITERIA SET FORTH IN SECTION I., SUBPARAGRAPHS B.1. THROUGH B.4., INCLUSIVE, BE MET.

SCHEDULE

Crisis Response Coverage Extension	Limits of Insurance	
Crisis Response Aggregate Limit	\$300,000	
Each Crisis Response Costs Limit	\$250,000	Each "Crisis Event"
Each Crisis Management Loss Limit	\$50,000	Each "Crisis Event"

Notwithstanding any provisions to the contrary in the policy to which this endorsement is attached, subject to the Limits of Insurance as shown in the above Schedule and in accordance with the terms and conditions set forth in this endorsement, the policy is extended to provide "crisis response costs" and "crisis management loss" resulting from a "crisis event".

What is covered?

- **Crisis Response Costs;** includes emergency assistance to “affected persons”, (transportation to the scene, temporary living expenses, etc.), funeral expenses, and “emergency psychology expenses”.
- **Crisis Management Loss;** includes fees and expenses of hired consultant (*Crisis Management Firm) or you in providing public relations and media management to protect and/or restore your reputation. (excludes employee salaries)

Activating a claim

A. Insured's Duties in the Event of a "Crisis Event"

1. You must see to it that we are notified by telephone within twenty-four (24) hours of a "crisis event" which may result in "crisis response costs" or "crisis management loss". The call must be made to **888-790-7233**. If necessary, we will provide you with an approved "crisis management firm" unless we agree to accept a "crisis management firm" that you have selected.
2. Thereafter you must provide written notice, as soon as practicable. To the extent possible, this written notice should include:
 - a. How, when and where the "crisis event" took place;
 - b. The names and addresses of any "affected parties" and witnesses; and
 - c. The nature and location of any injury or damage arising out of the "crisis event".
3. If reimbursement is sought directly by you, you must submit a claim for reimbursement of "crisis response costs" and "crisis management loss" within ninety (90) days after incurring such "crisis response costs" or "crisis management loss". Such claim(s) must include invoices and/or receipts supporting such "crisis response costs" or "crisis management loss" for each and every expense in excess of fifty (50) dollars.

Contact Information for Presenters

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