

# Risk Management Survey of North American Mushroom Clubs

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## Abstract

A survey of risk management associated with forays was sent to the approximately 60 mushroom clubs in North America. There were 30 respondents, ranging in size from 15–600 members (average 135); 13 were incorporated and 16 were not. There was no unanimity about the need to manage all risks studied: on the average, an attempt to manage risk was done 57% of the time for all parameters studied. However, there was unanimity about the need to manage some specific risks, which were managed by 80–100% of respondents. Responses are shown in tabular form and an Appendix discusses principles of risk management for most of the parameters.

## Introduction

Our data suggest that approximately 8–10,000 people in North America belong to clubs carrying out mushroom forays. Although it is generally accepted that foray activity exposes participants, club, and organizers to increased risk, the risk associated with this activity has not been studied. Of the risks associated with forays, mushroom poisoning has been documented by the North American Mycology Association's Toxicology Committee's reports (Beug, 2006; 2007; 2009). Those reports are not foray-specific, but deal with mushroom poisoning, regardless of context or circumstances. Other obvious risks of forays are those associated with moving about in the wilds—falls, bodily injury, cardiac or other trauma from exertion; harm from plants insects, ticks and large animals; injury from climate, exposure and inclement weather. Mushrooming in hunting season adds another parameter of risk. Getting lost is a special risk for mushroomers, whose attention is constantly called away from orienteering concerns by one clump of mushrooms after another. Even along well-developed trails it is easy to get lured further and further into the woods by each irresistible find. Once out of sight and earshot of trail and companions, many mushroomers, lack both equipment and skills to find their way back. Beyond these risks, mushroom forays are prone to all the risks associated with bringing groups of people into close quarters. This includes potential psychosocial or criminal behavior; infectious disease; toxicity of shared food or water source; fire and the like.

Risk management consists of identifying, evaluating, and controlling risk. The extremes of risk control are either to accept the risk as unavoidable, or to avoid it (no longer engage in the risky

activity). Unacceptable risk that cannot be avoided must be reduced or transferred. Reducing the risk to participants reduces the risk to the organization. Transferring the risk also reduces the risk to the organization, but does not alter the risk to participants. To transfer risk, it has to be assumed by somebody other than the organization: the participant, as a condition of participation, or an insurance company, in return for a fee.

Foray Newfoundland & Labrador incorporated in September, 2008. Its new board recognized a duty of care for the safety of foray participants. Finding no benchmarks or standards of practice, the board secured the services of one of the authors (SS), a risk management consultant, for a risk management survey of its annual foray. At the same time, a survey of the current practices of North American mushroom clubs was undertaken for baseline information. This communication is the result of that survey.

## Methods

A questionnaire was sent to all known organized mushroom clubs by the Editor of *FUNGI*. Results were collected and tabulated by one of the authors (SS) without identifying the clubs. Currency is expressed in US funds, using the exchange rate in effect on March 31, 2009. One hundred (100) members were chosen as an arbitrary line between big and small clubs. A Fischer's exact test was used to determine whether observed differences were statistically significant, using  $p < 5\%$  as the criterion for significance. Values for questions requiring a numerical answer were expressed as average of the responses given. Responses to yes/no questions were expressed as percent of yes answers from all respondents. An overall rough "index of risk management" was calculated by averaging the value of responses to all those questions that dealt with reducing risk to foray participants (i.e. excluding general data and questions about practice related to property).

## Results

Thirty (30) clubs responded. The average club was established in 1982 (range 1899–2008) has 135 members (range 15–600), has a formal volunteer executive or board of 7 (range 0–15), charges a membership fee of USD 16.00 (range 0–29) and has 26 participants per foray (range 5–55). Forty five percent (45%) of clubs are incorporated and 21% of all clubs have insurance. Of the six clubs with insurance, one carries commercial general liability insurance (CGL) and one directors and officers insurance (D&O); the other four carry both.

Thirteen (13) of the 30 clubs were incorporated and 16 were not (one did not answer this question); 16 clubs were big and 14

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were small. There was a positive correlation between these two variables: 69% of incorporated clubs were also big and 60% of big clubs were also incorporated. A larger proportion of incorporated clubs seemed to practice risk control in the areas questioned than unincorporated clubs. However, this was not consistent for all risk related activity and none of the differences between incorporated and unincorporated clubs achieved statistical significance. In some areas significance was approached, e.g. more incorporated clubs carried insurance than did unincorporated clubs, with a 6% probability that this difference was due to chance ( $0.05 < p < 0.065$ ). Comparing big clubs to small clubs, a similar pattern was seen: big clubs seemed to try to modify risk more than small clubs, but this was not consistent for all activities and the differences were not statistically significant. When incorporated big clubs ( $n=9$ ) were compared to unincorporated small clubs ( $n=10$ ), most differences observed seemed to widen, but did not reach statistical significance.

Table 1 shows the current practice profile for the responding clubs. There was considerable variation in practice: the overall rough “risk management index” was 57. Even so, there was unanimity of practice in some areas. More than 80% of surveyed mushroom clubs in North America do the following:

- ◆ organize regular forays annually,
- ◆ have a formal executive or board,
- ◆ are run by volunteers,
- ◆ do not have or hire paid staff,
- ◆ have trained leaders,
- ◆ allow children and non-members to participate,
- ◆ give advice about conditions and dangers,
- ◆ teach identification of edible and poisonous mushrooms,
- ◆ have members/participants contribute to meal preparation,
- ◆ use microscopes to aid identification;

and do not do the following:

- ◆ provide transportation to forays,
- ◆ ask about facility insurance,
- ◆ provide for the protection of participants’ property,
- ◆ rent equipment,
- ◆ provide own photography equipment,
- ◆ use a GPS routinely,
- ◆ carry out a satisfaction survey.

### Discussion

We set out to survey risk management because we wanted to know how our peer clubs resolved issues that posed problems for us. The need to manage risk and where to place one’s greatest efforts would be more meaningful if the true extent of the actual existing risk were known. However, this should be a separate study. Some may view questions about the number, nature and extent of undesirable outcomes as reasons not to participate in the study,

skewing the responses to clubs with no record of mishaps. It is our hope that one result of this publication will be that all clubs record undesirable outcomes, so that a future survey may determine exactly how often participants get lost during a foray, how frequent mushroom poisonings are at forays or any number of other mishaps against which we all try to protect our participants and our clubs.

These results may not be a valid benchmark. Having surveyed 30 clubs, we cannot claim that the data are representative for the continent. There are at least 60–70 recognized mushroom clubs in North America, among them some quite big, established, well-known clubs not represented in our survey, in addition to many small local clubs of which we are not aware. At best, our survey represents 45% of the North American organized mushrooming community. In a homogenous population this is a more than adequate sample. However, a volunteer survey may not represent the total population accurately. The decision to respond may have selective value because the practice of clubs that elected to respond may differ from that of those that did not. In addition, respondents differed widely. A club dedicated to the development of a vouchered species list for a specific region may not be comparable to one dedicated to mycophagous camaraderie and good fellowship in the outdoors. A large, urban, well-funded club that awards mycology scholarships and organizes congresses may not be comparable to a 15-member club in a smaller community, with no membership fee, meeting to stroll the nearby woods a few times during mushroom season. A club founded 110 years ago, with abiding traditions and stable membership, may not be comparable to one formed a year ago by people who have not dealt with organized mushrooming before. Similarly, forays serving the members of local clubs may differ considerably from those dedicated to attracting outside participants. Thus, the average response may not be a suitable benchmark for many, possibly any, club.

The major finding of this survey is that North American mushroom clubs have no agreement about risk management practices. The rough “index of risk management” we used was 57, almost in the exact middle, meaning that on the average about one-half of the clubs manage the risks studied and one-half do not. We stress that this is a rough measurement with no proven validity. However, it suggests that it may be possible to design a reproducible, weighted index in the future. Practices where there is no unanimity may be club and local situation dependent. A club reviewing its management of risk should actively decide whether such practices are pertinent to its activity.

The second significant finding is that despite the differences among clubs, all agree in some practices. Practices shared by 80–100% of clubs are probably valid guides for risk management. A club that does something that increases risk to participants, which is not done by 80–100% of responding mushroom clubs (e.g., does not advise participants of potential dangers associated with

## Appendix

its foray), has cause to examine that practice carefully. On the other hand, a club that questions a practice (e.g. allowing members to participate in the food—particularly wild mushroom—preparation) may take comfort in the knowledge that such practice is the standard for mushroom clubs, shared by 80–100% of responding clubs.

Incorporated clubs may have a different pattern of practice from unincorporated clubs, as may big and small clubs, and the effects seemed to be additive, but possibly because of small numbers, the seemingly increased difference remained statistically insignificant. A larger number of respondents may uncover statistically significant differences, but on the basis of these findings it seems that organized North American mushroomers do not feel that incorporation, size or other club-related factors should alter risk management practice.

After we reviewed the results, we found several questions that were not pertinent and several helpful ones that had not occurred to us. It was also obvious that some questions were confusing. We hope to repeat the survey in about two years. At that time we hope to have improved the questions and developed a meaningful risk management index. In addition to better clarity, we should like to document each club's main aims and hope to be able to separate day trips from overnight and longer forays. We have tried to provide a guide to some aspects of risk management, largely based on our opinions, in the annotations to Table 1, found in the Appendix.

### Acknowledgments

We thank Britt Bunyard, Editor of *FUNGI*, for helping with the project and circulating the questionnaire and pursuing respondents. We also thank Michael Beug and Andrew May for reviewing the manuscript and Ilka Bauer for advice with the statistical analyses. Our greatest thanks go to the respondent clubs and their officers, who took the time to answer this survey and suggest improvements.

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*Numbers refer to superscript numbers in Table 1. Comments are the opinion of the authors. Even if influenced by past experience; corporate, legal and insurance consultants; and current general risk management principles; they remain only opinions. They attempt to reflect the expectation in Newfoundland and Labrador, Canada, the jurisdiction of the authors and their consultants, but have not been tested in court and may vary in other jurisdictions.*

**1. Organize regular forays.** The main risk to mushroom clubs comes with organizing a common excursion into nature to collect mushrooms. Since this is the very reason most clubs exist, it is not a risk that can be avoided. Participants are exposed to risk by going outdoors to collect mushrooms regardless of foray length.

**2. Collect edible mushrooms for eating.** Collecting edibles and the wild mushroom cook-up are deeply ingrained into the amateur foray tradition. Probably most people are first attracted to a mushroom foray by the desire to learn about edibles and the core pursuit for many forays centers around the eating of wild mushrooms. For most forays this seems to be an unavoidable risk. However, five respondents do not provide mushroom tasting, at least two of which do overnight forays. Clearly, it is possible for a club to decide to avoid this risk and have it become accepted local custom. If the risk cannot be avoided, it can be reduced by having a very clear policy of

- ◆ who may contribute edible mushrooms for eating,
- ◆ who identifies them,
- ◆ whether they are double-checked or pretested,
- ◆ which species are served and
- ◆ who cooks them.

As a method of risk control, participants assume the risk in return for the experience, when they are made aware, in advance, of the possibility of being served a toxic mushroom despite all diligence, so that they decide whether to partake or not. Participants should be made aware that individuals may have idiosyncratic reactions to “safe” edibles. Some participants at our forays elect not to partake of the cookout because they do not wish to rely on somebody else's identification.

**3. Teach what is edible and poisonous.** We believe that knowledge is a powerful tool to reduce the likelihood of eating a toxic mushroom. However, a club taking on the responsibility to educate, also assumes the risk of inadvertent erroneous teaching or its erroneous interpretation or application. Therefore this item figures as both an activity to increase and to decrease risk. We have had professional mycologists who have elected not to lead a

foray to collect edibles because of concern for personal liability.

**4. Children allowed.** All respondents allow children on their foray. The introduction of children to mycology is a worthwhile goal: we try to make it as easy as possible for families to come with children. However, we do recognize it as an added risk and make sure the parents are aware of it. Apparently in law a parent cannot sign away a child’s rights, but by insisting parents sign a waiver on behalf of the child, we ensure that parents are aware that participation exposes their children to risk—risk that we take seriously and from which we cannot guarantee to provide full protection.

**5. Non-members allowed.** Only three clubs have a members-only policy for forays. In theory, members participate in their club’s policy and decision-making, something non-members do not. Therefore some responsibility, and through it, risk, is transferred to members. Members are also more aware of club traditions and practices and are more likely to abide by its rules. The usual membership fee is so small that making it part of foray registration fee does not seem unreasonable. If the club has other programs available to the general public, a members-only foray policy should not hinder the introduction of more people to mycology. Although day trips also expose participants to risk, these may seem like more logical events to which guests might be invited.

**6. Participants contribute to cooking.** Preparing food for collective consumption exposes a club or its members to major risks. Adding the element of potential reaction or mishap due to mushrooms, increases that risk. As mentioned, for many clubs the fellowship derived from sharing a communally prepared meal, involving available wild mushrooms, is the major *raison d’être* of their foray. These clubs need not change their focus, provided they make

TABLE 1. Practice profile for surveyed North American mushroom clubs		
Numerical values expressed as average number for all respondents to the question. YES/NO values expressed as per cent YES answers for all respondents to the question.		
Measured parameters		All clubs
<b>GENERAL</b>		
Club		
Number of respondents		30
Membership		135
% big clubs (≥100 members)		50%
Have board / executive		90%
Number board / executive members		7
Have paid club staff		0%
Membership fee (USD)		\$16
Keep voucher specimens		62%
Foray		
Average number of participants		26
Hire staff to run foray		0%
All leaders volunteers		97%
<b>ACTIVITIES WITH INCREASED EXPOSURE TO RISK</b>		
Organize regular foray(s) annually <sup>1</sup>		100%
Collect edible mushrooms to eat at foray <sup>2</sup>		73%
Teach what is edible <sup>3</sup>		96%
Teach what is poisonous <sup>3</sup>		100%
Children allowed <sup>4</sup>		100%
Non-members allowed <sup>5</sup>		90%
Participants contribute to cooking <sup>6</sup>		84%
<b>ACTIONS TO DECREASE RISK (decreased risk to participants and club)</b>		
General		
Written policies <sup>7</sup>		55%
Incident reporting <sup>8</sup>		21%
Satisfaction survey at end		0%

certain all participants know of the risks involved as well as the steps taken to mitigate them. As with all risks, prior disclo-

sure, acknowledged by participants, remains good policy.

On the trail		
Leaders have training or knowledge <sup>9</sup>		87%
Woodsmanship <sup>9</sup>		59%
Orienteering <sup>9</sup>		48%
Mycology <sup>9</sup>		83%
First aid <sup>9</sup>		73%
Whistle <sup>10</sup>		53%
Compass <sup>10</sup>		33%
GPS <sup>10</sup>		17%
Map <sup>10</sup>		28%
Provide <sup>10</sup>		40%
Ask about mobility / exertion <sup>11</sup>		45%
Special non-taxing trail <sup>11</sup>		38%
Policy to follow if participant lost <sup>12</sup>		55%
Avoid dangerous trail <sup>13</sup>		73%
At base camp		
Education program <sup>3</sup>		46%
Teach what is edible <sup>3</sup>		96%
Teach what is poisonous <sup>3</sup>		100%
Inspect facility beforehand <sup>14</sup>		70%
Orientation to facility <sup>15</sup>		40%
Explain procedure in case of fire <sup>15</sup>		29%
Explain about security <sup>15</sup>		21%
Ask about food allergies requirements <sup>16</sup>		48%
ACTIONS TO TRANSFER RISK <sup>17</sup> (decreased risk to club only)		
Disclosure <sup>18</sup>		
Advise of benefits/risks on joining club <sup>18</sup>		79%
Advise of risk at foray registration <sup>18</sup>		70%
Advised about special dangers <sup>18</sup>		87%
Clothing <sup>18</sup>		90%
Weather <sup>18</sup>		80%
Insects <sup>18</sup>		87%

**7. Written policies.** Putting together even a simple policy booklet of a few pages demonstrates that some effort has gone

into thinking about risk and its containment. Written policies will ensure that important matters are not forgotten. If ap-

plying for insurance, the presence of written policies addressing risk management may help to secure coverage at a reasonable rate. On the other hand, having written policies puts the onus on the organization to abide by them. Failure to do so may leave it exposed in the event of an unfavorable outcome and conceivably an insurer may elect not to cover a claim.

**8. Incident reporting.** The first step of risk management is to identify the risks of the activity. One method of doing this is to report all incidents, either formally with policy and written forms, or informally by documenting information gathered (e.g. at post-outing debriefings with leaders). The information is then used for action (e.g. change practice, develop or revise policy, etc.) and/or comparison with future results.

**9. Leader training.** Given the size and resources of most clubs, ideally trained leaders are not a realistic option for everybody. From a risk point of view, the most important thing, again, is that participants know beforehand how much they can rely solely on the leaders in case of difficulty. It is equally important that organizers and leaders both be aware of the limits of the sortie leaders and not place them in situations beyond their ability.

**10. Equipment for orienteering and communication.** Providing participants with a map of the trails and/or area is so cheap and effective that we cannot recommend it enough. Because many people do not know how to use map and compass, a compass is not universally practical. If foraying in more remote areas where getting lost is a distinct possibility, it is reasonable to ask people proficient in the use of a compass to bring one along. Although GPS units are more expensive, they are so common and their use, once learned, relatively easy, that asking people to bring one is a wise precaution (include spare batteries and a compass for back-up). Foraying in a re-

remote wilderness area without GPS or compass can be done very safely provided that the leader sets some ground rules, e.g. 1) adhere to a buddy system and 2) have at least one group remaining on the trail within reach of eye or ear of others at all times. Conditions may demand that the group stay together on the trail with everybody visible and/or audible to the leader.

Of communication tools, a cell phone is least likely to work in remote settings. We have yet to foray in an area with cell phone service. We recently bought a pair of two-way radios for the club and plan to add to them over the years. There are also radio-GPS combinations available. These are much more expensive, but for a club intending to continue foraying in remote settings, such purchases should be considered. In comparison, a whistle is very cheap, and with minimal instruction, is quite effective. Clubs foraying in remote areas may want to consider the wisdom of providing whistles to all participants. Not all whistles are equal, as reported from a recent trial (Voitk, 2009).

### 11. Mobility and exertion limitation.

One-half respondents asked about such limitation, but of those that did, only one-third provided a suitable trail for such participants. Most camps can be reached by car and in our experience the grounds and their immediate environs have yielded a very diverse and rich mycota, accounting for many new and unusual finds. Designating one trail to the grounds (or a suitable substitute) is not very difficult. Possibly not as exciting, but certainly mycologically rewarding. If it is club policy to assign participants to trails, a mechanism for being aware of and taking into account participants' limitations seems mandatory. Clubs that allow participants to select trails should have a trail description, where exertion and mobility requirements are clearly stated. This approach avoids the need to ask for private information and allows the participant to assume the responsibility of selecting a suitable trail. A

Waiver <sup>19</sup>	
Require signing of waiver <sup>19</sup>	57%
Faculty and invitees also sign waiver <sup>19</sup>	72%
Parents sign for children <sup>19</sup>	60%
Waiver need and content explained <sup>19</sup>	52%
Insurance <sup>20</sup>	
Carry insurance <sup>20</sup>	21%
D&O <sup>20</sup>	16%
CGL <sup>20</sup>	17%
Ensure foray facility has CGL <sup>21</sup>	23%
Motor vehicle <sup>22</sup>	
Participants drive self/carpool to trails <sup>22</sup>	100%
PROPERTY <sup>23</sup>	
Participants' property	
Provide safe for valuables	5%
Hire staff for security	0%
Policy to manage lost valuables	5%
Provide individual sleeping quarters	33%
Ensure quarters can be locked	25%
Club's property	
Own some equipment	33%
Transport it to foray	59%
Secure it at foray	50%
Maintain it	67%
Provide equipment at foray	32%
Own	64%
Borrow	50%
Rent	8%
Computer(s)	62%
Microscope(s)	83%
Photographic equipment	15%

mechanism for even distribution is required, to avoid increased risk by overloading any one leader with more participants than reasonable.

**12. Lost participant.** Getting lost is relatively easy with potential serious consequences. In addition to advising participants what to do if it happens (Schmelzer,

2009a), clubs organizing activities where this can happen, need to include preventive measures and have a response protocol (Schmeltzer, 2009b). Because this is not a frequent occurrence, one should not assume that it will not happen or that an appropriate response is intuitive. A written policy will greatly help timely and efficient response to a situation encountered only once in a lifetime.

**13. *Dangerous trail.*** About three-quarters of respondents avoid dangerous trails—prudent, but not mandatory. A club dedicated to survey varied habitats may include a dangerous trail or environment to achieve its goal. As with other situations of increased risk, prior full disclosure to participants of the purpose and risks is required, to have the participants assume the added risk.

**14. *Prior inspection.*** Restricting foraying to day-trips, foraying along well-known trails and use of the same facility every year may get around this need. For clubs using an overnight facility and/or changing sites regularly, some sort of assessment of the suitability of the facility and trails seems unavoidable.

**15. *Facility orientation.*** Orientation to a facility is prudent and need not be complicated. It can be done verbally in very little time or with a printed handout. We suspect that only 40% of respondents do this because a large proportion of clubs do not rent overnight facilities. Fire is extremely uncommon, but could result in a major tragedy. It seems prudent to advise appropriate action, should it happen.

**16. *Dietary requirements.*** Most facilities have adopted policies of not serving items known to cause reactions. Even so, to enquire and advise the facility accordingly is prudent. The same goes for special dietary requirements or restrictions. Not every facility can meet every need; the participant should be made aware of such problems in advance, to find alternate solutions or change plans.

**17. *Assumption of risk.*** Although organizers have a duty of care to provide a safe experience for participants, risk is such an inherent part of a mushroom foray that eliminating the risk will destroy the foray experience. Therefore, organizers will not be able to deliver the experience and eliminate all risk. At the same time, it is unreasonable to expect organizers, all enthusiastic volunteers in non-profit organizations, or the organizations, to accept responsibility for mishaps resulting from the built-in risk. The only way around this that the participant assumes the risk in return for the experience: make a contract with the participant, whereby the participant acknowledges the unavoidable risk required to deliver the foray experience and agrees to assume it in return for the experience. Nothing in this contract frees the or-

ganizers of their duty of care. The participants still look to the organizers to do what is possible to reduce risk and to advise them in case of heightened risk status.

Assumption of risk by the participant is the most important principle underlying all organization of and participation in a mushroom foray.

**18. *Disclosure.*** Disclosure is the key to assumption of risk by the participant. The choice to participate is made freely. However, without all the required information, free choice becomes a meaningless concept. Full disclosure encompasses both the good and the bad. It is not enough to explain the risk, unless the reason why the risk should (or should not) be taken is also explained. Only fully informed, is the participant free to make a meaningful decision. If you are not sure, here is a rough, quick and simple way you might test for full disclosure:

- ◆ consider any risk factor
- ◆ imagine the worst outcome for that factor
- ◆ decide whether, with the information you have provided, the participant has just cause to say, “If I only had known this might happen, I would never have decided to participate,” or “If I had known we did it only for that reason, I would not have gone along.”

If the answer is yes to either, disclosure has not been adequate. This does not mean every possible unfavorable outcome should be listed, an impossible task, because nobody can foresee all problems. However, there should be sufficient general information of the types of known risks that the participant has an opportunity to formulate an opinion. Disclosure should happen well in advance of the event. If new circumstances develop or are discovered during the foray, advice about altered or new risk should come as soon as is practically possible.

**19. *Waiver.*** This is the contract between the participant and organizers, where the participant acknowledges that she/he

- ◆ has been advised that there are risks to the foray,
- ◆ has been made aware of some pertinent examples,
- ◆ agrees to abide by the rules,
- ◆ agrees to assume the unavoidable risks in return for the foray experience and
- ◆ agrees, therefore, not to hold the organizers responsible for any unfavorable outcomes as a result of these unavoidable risks.

A few lines saying “I won’t sue in case of a mishap” do not constitute a meaningful contract. The contract must show that an explanation has been given and that the participant understands why the risks are there and why she/he must assume them. It should clearly state that the choice to participate is made freely and that if the participant is not willing to assume the risks in question,

she/he is free not to participate; accepting them is a condition of participation. Clearly, the club needs such a contract with every participant, whether a member, non-member, officer, organizer, invited guest or other; whether the participant is required to pay or not has no bearing on the contract.

The waiver should be signed in advance of the event, allowing the participant adequate time to think about its implications without external pressure. Signing a piece of paper on the way to the woods is much less meaningful. Ideally, both the reason for the waiver and its contents should be explained. We have an explanation on our web page and one in our program booklet. In addition, there is an opportunity to ask questions beforehand or at the time of registering at the beginning of the foray. Regarding parents' signing on behalf of their children, please see point 4, above.

The main value of a waiver is not to protect the club in a potential court case, but to make it clear that the participant understands that there are risks and that the club takes them seriously. While a waiver may not afford protection in court, its absence certainly makes things much more difficult. A waiver that is no more than an annoying piece of bureaucratic paper to be signed is unlikely to be considered very meaningful. However, a waiver may stand your club in good stead if it

- ◆ is clearly sincere,
- ◆ advises the participant of risk,
- ◆ provides information pertinent to decision making
- ◆ uses language that is easily understood, and
- ◆ forms a freely made and informed contract.

**20. Insurance.** There is no question that insurance adds significantly to the cost of a foray. *Caveat emptor* is the order of the day when buying insurance. The first policy we were offered excluded coverage for mishaps off the property where the foray was headquartered. Since a large part of our risk related activity is in the woods, this was inadequate. The second policy excluded coverage from mishaps related to the inhalation, ingestion or otherwise coming in contact with fungi. Both exclusions were buried deep in mounds of "insurancesese" small print and in both cases the broker did not advise us of these clauses, even though our purpose and activity had been clearly explained.

Sometimes it is possible to negotiate endorsements for such items and even negotiate better rates, if one can show that the club has an active risk management program and conducts its affairs in a businesslike manner. Acting like a corporation may not be better intrinsically, but insurance companies instinctively feel more comfortable with such practice.

One can look at insurance as a way of transferring risk: in return for a fee, the insurance company assumes the financial risk from the club. A better way to look at insurance is from the participant's point of view. Suppose something untoward were to

happen to a participant, for which she/he should be entitled to some compensation. The club has no money, so even if entitled, the participant is left without. However, if the club had insurance, it would be in a position to provide compensation to the injured participant, a much happier solution to an otherwise unfortunate outcome.

Directors and officers insurance (D&O) protects the directors and officers of the club, usually against unwise financial decisions on behalf of the club, but may also protect them against errors in judgment and even negligence, depending on the terms. Although it does not benefit the participants directly, an increasing number of organizations are finding it difficult to recruit officers without this insurance. Commercial general liability insurance (CGL) protects the club against claims arising from liability issues arising from club activities (like a mishap during a foray, leading to a claim). This insurance benefits participants directly, enabling compensation for a legitimate claim.

**21. Facility CGL.** If there is a choice between an insured and uninsured facility, the former is preferable. If the club has no insurance, using an insured facility offers some degree of protection. If the club has insurance, its insurer may argue that the facility is liable for mishaps on its property. Using an insured facility may not prevent this argument, but at least it would eliminate the anxiety of whether a claim could be settled or not.

**22. Motor vehicle.** So long as the club does not own or rent vehicles driven by its officers, the club carries no responsibility for misfortune in motor vehicles, even if driven as part of the club's event. In our jurisdiction the driver of the vehicle is responsible for the vehicle, its contents, passengers and any damage it may do to other people, vehicles or property. Since virtually 100% of drivers and car owners carry insurance, the financial risk of any misfortune is transferred to their insurers.

**23. Property.** Clearly, from the low response score, not many clubs are overly concerned about protecting property, whether their own or that of participants. Our club has exhibited a similar attitude so far. This should not be interpreted to mean that taking responsibility for property is not important or that the authors condone that it should be ignored. We only report how things are, according to the responses received.