



Notes Following the BWY Facebook Live with Vice Chair, Gillian Osborne, 24 March 2020

Face to Face Classes	Due to the Governmental lock down on all social activity, face-to-face classes are no longer permitted and will not be insured.
T Committee	T Committee is the Training Committee, chaired by Wendy Haring. The T Committee Chair and T Committee Vice Chair sit on the NEC.
Progress since last Facebook Live	<p><u>From an insurance perspective, the following are now covered:</u></p> <p>Remote live teaching, including children and young people, pregnancy, the ability to take on new and existing students. Providing recorded classes to existing students.</p> <p><u>Documents and materials for your use:</u></p> <ul style="list-style-type: none">• Insurance Statement for remote teaching• Guidance Notes for Remote Students (courtesy of the facebook group “Yoga Teacher On-line Support Network”) https://www.facebook.com/groups/1066032637096958/?epa=SEARCH_BOX• New health questionnaire which includes a disclaimer for remote teaching• Webinar on remote teaching• Facebook live Q&A 18th March 2020 <p><i>There were some technical issues with the broadcast on Monday but these have been rectified now.</i></p> <p>There is a further webinar on Friday at 12 noon (2 hours) and a Facebook Live Q&A took place on Wednesday at 6pm</p> <p>Webinar and facebook live videos are available to watch on replay. Documents are available on the BWY facebook page under notes and on the BWY website.</p> <p><i>We are happy to make available our materials for all yoga teachers and practitioners, regardless of affiliation, but please be aware that insurance and teaching practices refer only to the BWY policies and guidelines.</i></p>
Open Content: Advert or Invitation to attend a class or sign up for a course	<p>There is a material difference between a video which is a “taster” of what you have to offer and a video that is inviting the viewer to participate. The former is a type of advert whereas the latter is open (i.e. unrestricted audience) content/teaching.</p> <p>Adverts are covered by insurance but open content is not. You can produce an advert on any open channel but the teaching itself needs to be in a closed group. Video adverts that include practices should have a disclaimer. We will provide a disclaimer shortly.</p>



Music for remote teaching

There is a document available in the Notes section on our Facebook page and on the BWY website that clarifies the position in relation to playing music during teaching. It has now been amended to include remote teaching.

The basic principle to understand is that it is the premises and not the individual that is required to hold a license. This is why BWY cannot obtain a generic license for all teachers.

The types of venues that teachers were hiring to teach face to face would ordinarily hold a license. Remote teaching during COVID-19 is impacted in this respect because it is typically done from a home. The alternative to paying for a license is to use rights-free music which is available with unrestricted use (links are available in the guidance document).

However, initial feedback from teachers who have recently started remote teaching is that there can be some distortion with music and so it must be chosen carefully. Additionally, the music should not be in competition with your voice, which is so important for your students to hear, particularly when you are not physically present.

AGM & Elections

We don't have concrete plans, but we are looking at conducting the AGM remotely at the same time as originally planned. We will update you as soon as we have a firm plan.

Teaching online for Studios if you are not in control of the number of participants or whether they are new.

You are insured to take on new students, the difficulty will be if you do not know in advance who is coming to the session.

If all the disclaimers and health declarations are done through the studio and not through you this will be difficult to control. It is probably best approached by looking at the contract that exists between you and the studio/gym.

For studio/gym teachers, there will be a contract in place between you and the venue. You will need to investigate whether the insurance provided by the venue would cover you as a teacher because we cannot comment on individual contracts.

**Live Streaming
Open content
Open teaching**

Live streaming classes to a restricted audience is fine in accordance with the new guidelines on acceptable platforms.

T Committee will shortly be producing some new guidelines on whether or not we need to see students live streaming and that is likely to depend on the type of class you are offering: pranayama, asana, meditation etc.

Live streaming to an open audience is called open content. No open content teaching is insured at present. This is not something that has been raised prior to COVID-19, so it has never before been investigated. The immediate priority is to provide teachers with a way to teach that replaces face to face tuition. Open content live or recorded streaming is therefore not something that naturally arises from COVID-19 protocols.

Other yoga teachers that Live Stream to an open audience may or may not be covered, but we do not have sight of their policies and cannot comment on their cover provision or efficacy of cover in the event of a claim. This is a much bigger



risk for the insurers and a completely different animal to remote teaching with participant interaction and connectivity. Our broker and insurers have been very supportive and responded to all our requests and needs. We are moving as quickly as we can but we need to ensure we have the correct legal advice, the correct cover from the insurer and the correct guidelines from T Committee.

We have commenced discussions about open content live or recorded streaming and will continue. But we owe it to our members to ensure that our policy is robust and reliable in the event of any claim. This is why the changes have to be made with thorough discussion and agreement by all parties.

We are not trying to put teachers through hoops or create barriers and we absolutely trust in your ability to teach safely and to a high and professional standard. But we want to keep you safe and teaching with the correct cover and back up from us, and we need to be allowed reasonable time to do that.

Pre-recorded Sessions and Facebook Live

We have omitted to cover pre-recorded videos in the new health questionnaire. We are not infallible and this is an oversight! This form of class will be fine and is covered by the insurance provided it is sent to existing students. We need to amend the disclaimer in the new health questionnaire. This will be rectified by the end of the week.

If you have already produced pre-recorded classes and broadcast them, there is no need to panic, we are in the process of sorting the legalities.

Sending pre-recorded classes to new students is not covered. Currently, the insurance and guidelines from T com prevent this type of teaching. One of the current conditions of cover is that the teacher must be able to see the students in a restricted group. This is to limit the extent of liability and protect our professionalism and high standards of teaching.

Pre-recorded classes to existing students are a different proposition to pre-recorded classes to new students, and each situation must be looked at on the particular facts and issues that it presents. There is no blanket solution, which may indeed be a bitter pill to swallow, but is nonetheless the case.

We are discussing how to extend cover with T Committee, solicitors, the brokers and insurers but we must develop the cover incrementally and carefully, we can't make an instant cover extension because we will not leave you wide open for potential claims.

Safeguarding: Children and Young People

It is vital that the Safeguarding Policy is followed. Child participants must not be able to be seen on other people's cameras.

Anyone wishing to teach children must follow the usual safeguarding procedures that are available on the website. Any queries that don't fit squarely within that must be referred to Rebecca Morris our Safeguarding Officer.

Children present while a parent is taking part and inadvertently appearing on screen needs to be referred to Rebecca as there are very stringent regulations about children being on-screen. We are liaising with T com and Rebecca to provide guidelines and possibly a disclaimer that the parent /carer of any child who may



inadvertently appear on screen would need to sign. This is obviously a more likely scenario with children at home.

Delivering non-physical yoga in a remote session

E.g. Yoga Nidra on Facebook Live, is not covered yet. We don't want to hamper or restrict you but these are unprecedented times and this sudden requirement to look at remote teaching is bringing about a huge number of very valid question which could not have been predicted.

We want to provide you with the right type of back-up ad support from the insurers and BWY and we cannot act in haste before the proper cover is in place.

Updates

As soon as we have any updates, these will be posted on Facebook, on the BWY website and will be sent out in the enewsletter.

Keep sending any questions by email, on Facebook. We are planning another Facebook Live next week to update you.

YouTube

At the moment, all recordings or live video need to be restricted to students, new or existing, and cannot be open content (available to the world at large). We hope to be able to provide cover for open content and we are working on this, but at present, it would not be covered. This applies to any content, e.g. asana, breathwork, relaxation, full class. No open content is currently covered by insurance.

Secure platforms for pre-recorded classes

A private YouTube channel should be a suitable platform within our criteria and is currently being considered by T Committee. This is assuming that a password needs to be supplied and the attendees are known to you or have completed the new health questionnaire.

All platform queries need to be submitted to T Committee as they are compiling and researching platforms as they become known and adding them to the approved platforms list. We are in completely uncharted territory so please contact T Committee for clarification.

Intellectual Property, Copyright, GDPR for open classes

This is hypothetical as it is assuming we have confirmed insurance cover is in place for such classes. Assuming this to be the case there would need to be a disclaimer that the participants in the open content must sign, to cover off GDPR. At the moment we do not have cover confirmed for open classes.

With regard to Intellectual Property (IP), as the teacher who has produced the material in open content, you would be able to protect your IP by putting a copyright/disclaimer statement on it. We can certainly provide guidelines on that wording but at the moment the type of scenario in which these questions have been placed is not possible with our present insurance. Assuming we do obtain the insurance to cover open classes then the above would be covered off fairly simply.

Progress

While it may appear that progress is not happening as quickly as we may like, we have to ensure that the insurer, solicitor, broker and T Committee are all in alignment to make sure that in the event of a claim we have provided you with solid cover. These discussions are not instant and there is a small team of people working tirelessly to put these things in place.



For those that wish to push things further, I would recommend that you get in touch and support your own regions. There is also Yoga Teachers Union that is in development (see below).

If you find out about suitable platforms that meet our criteria then please do get in touch with T Committee as this will help us build a database of approved platforms for recommendation.

Hardship Funding

We are not a lobbying body so are not speaking to the Government. Normal Blair is working to launch a yoga teachers union. A union would be best placed to investigate these sort of issues. If you are interested and want to become involved with this please contact Norman, his details at the end of these notes.

If you are still being charged rent for venues that you are now no longer able to use, please check your agreement/contract with the venue. You may well be able to get a refund or cancellation rebate. In the present situation, it seems very unjust for continuing rental fees to be imposed.

BWY Chair, Richard Adamo

Richard has had significant connectivity issues as a result of the storms, so has not been online as much as he would normally be able to. He is OK but is coming to the end of his term and has winding up work to do.

Disclaimer for open teaching

We are working on this, alongside cover for this type of teaching.

Open content, that is classes or recordings that are made available to the world at large, are very different to classes where there is remote interaction and connectivity between the teacher and student. In an open session the liability is without boundaries. The insurers must be able to contain or otherwise manage the liability, which is why we need to approach it with guidelines and disclaimers.

Membership

The question was raised as to whether we would consider the postponement of our membership fees (while not allowing the memberships to lapse) and this is something we would need to discuss as an NEC, this discussion would need to include the new Treasurer after 5th April 2020 because the implications are huge.

We are very mindful of the situation of some teachers with regard to their finances which is why we are trying to deliver ways in which you can continue to work as quickly as we possibly can.

Health Questionnaires

These need to be signed only once by students, not one per class if they attend remotely, providing you check in with people before the class for any changes to their health as you would in a face to face class. Existing students will need to sign the new form.

Existing face to face students will need to either complete a new form or sign the disclaimer. We will look at making this a tick box option in order for it to be entirely remote without the need for a scanner and printer. If you want to adapt the form to use your own branding or style that's fine, but you need to include the exact wording of the disclaimer.

Pregnancy and Post-Natal Classes

These are fine to teach both new and existing students as they are covered in the new remote insurance procedures.



Baby Yoga	Mother and baby face to face yoga is covered but baby massage is not. T com are looking at the issues surrounding remote mother and baby yoga. Please liaise with Rebecca Morris with regard to issues surrounding baby Yoga. This is not the same as children and young people.
Audio Recordings	These are treated exactly the same as video, so if you can't see the participants then you would not be covered, at present. T Com are still discussing this.
Pre-Teaching Assessment	<p>The pre-teaching interview needs to take place for new students, prior to their first class. This will only be for students who have completed the health questionnaire and actually do want to join, not for everyone who enquires.</p> <p>The student's expectations of a remote session need to be managed in a number of ways. Conducting the assessment on the platform that will be used for the teaching helps the student become accustomed to the technology they will be using, and it gives them an initial experience that will ensure a smoother start to their learning experience.</p>
Advertising	Remote classes should be advertised on the website in the usual way, clearly indicating they are REMOTE. We plan to deliver guidance/tutorials on marketing your remote classes in the next few weeks.
Facebook Live & Student Visibility	Facebook live by private invitation is a secure platform but the training and insurance requirement to observe students cannot be satisfied. The Training Committee is meeting on Friday 27 th March 2020 to discuss whether or not teaching is permitted without being able to see the client and we are in discussion with our insurance broker on whether this can be covered. We will keep you informed as soon as there is an update.
Ethics	<p>In this present global crisis we as yoga teachers and practitioners have been faced with an entirely new situation. The BWY has responded as quickly as possible to provide it's teachers with a viable alternative to the face to face teaching that is currently prevented, in order to ensure that everyone who wants to, can continue to work, and that member students can continue to attend classes in a safe, structured and professional way. This still needs a few tweaks but has without doubt largely been delivered.</p> <p>There are a number of questions concerning open content teaching which is an entirely different proposition to the type of teaching affected by COVID-19. This has not been asked of the BWY before, and open content teaching is not something that naturally arises from the current crisis.</p> <p>We will, and we are, considering how to enable BWY teachers to provide open content, but this is not the immediate priority so we would ask for your patience. The immediate priority is to enable teachers to continue teaching in an alternative way to their face to face classes which are currently prevented. Anything beyond this is additional. COVID-19 is not an opportunity for consolidating our marketing; it's a time for reinforcing our yogic principles in the face of a seemingly overwhelming challenge and coming together in mutual support.</p>



THE BRITISH WHEEL OF
YOGA

Resources

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