# Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Introduction</td>
<td>2</td>
</tr>
<tr>
<td>Risk Management</td>
<td>3</td>
</tr>
<tr>
<td>Risk management process</td>
<td>4</td>
</tr>
<tr>
<td>What is risk management?</td>
<td>4</td>
</tr>
<tr>
<td>Why manage risks?</td>
<td>4</td>
</tr>
<tr>
<td>Establishing a risk management framework</td>
<td>4</td>
</tr>
<tr>
<td>Developing a risk management process</td>
<td>4</td>
</tr>
<tr>
<td>Ten steps to risk assessment and developing a risk management plan</td>
<td>6</td>
</tr>
<tr>
<td>Risk Management and Events</td>
<td>20</td>
</tr>
<tr>
<td>Frequently asked questions</td>
<td>21</td>
</tr>
<tr>
<td>Key risks – knowing what they are and how they can be managed</td>
<td>23</td>
</tr>
<tr>
<td>Governance</td>
<td>23</td>
</tr>
<tr>
<td>Legal</td>
<td>33</td>
</tr>
<tr>
<td>Financial</td>
<td>46</td>
</tr>
<tr>
<td>Contract management</td>
<td>53</td>
</tr>
<tr>
<td>Probity</td>
<td>55</td>
</tr>
<tr>
<td>Human resource</td>
<td>56</td>
</tr>
<tr>
<td>Member and child protection</td>
<td>63</td>
</tr>
<tr>
<td>Sports integrity</td>
<td>70</td>
</tr>
<tr>
<td>Regulatory compliance</td>
<td>73</td>
</tr>
<tr>
<td>Social media</td>
<td>75</td>
</tr>
<tr>
<td>Risk management and insurance</td>
<td>78</td>
</tr>
<tr>
<td>Risk management and state and national standards</td>
<td>84</td>
</tr>
<tr>
<td>Other useful resources</td>
<td>87</td>
</tr>
<tr>
<td>Guide - Policy Writing</td>
<td>87</td>
</tr>
<tr>
<td>Audit tools and templates</td>
<td>89</td>
</tr>
<tr>
<td>Help</td>
<td>100</td>
</tr>
</tbody>
</table>
Introduction

Everyday we are faced with a variety of potential risks. Simply getting in the car to drive somewhere, we risk the possibility of injuring others or ourselves or incurring financial loss if we damage our car or break the law while speeding to our destination. Somehow, among these and other risks, we manage to continue with our lives. Risk is not something we can avoid completely, but it is something we can manage. This Risk Management Resource aims to help sport and recreation organisations understand what risk management is and how to develop their own risk management plans and solutions.

Participants are attracted to a club/activity that is well organised, welcoming and able to demonstrate their awareness of risk and implementation of practices that minimise risk. A safe and positive environment will minimise risk and help increase participation numbers, funding and/or sponsorship opportunities.

Sport and recreation organisations must have a risk management plan to help prevent things from going wrong. While there is an enormous amount of information on risk management available to these groups, the task of developing such a plan can be daunting.

Many organisations choose to ‘put their heads in the sand’ and hope they never have to deal with risk management. Unfortunately, ignorance is not an excuse and this stance could prove costly in the long term. Even though a risk might be small, failure to warn participants of a risk of injury could be a breach of an organisation’s duty of care and place it in danger of a negligence claim.

All sport and recreation organisations are subject to potential liabilities simply because of the nature of their activities. Being aware of potential dangers, adopting the right risk management practices and obtaining appropriate insurance can help reduce the likelihood of such liabilities. Risk management is not just about compliance; it is also about good business sense.

As there is a significant amount of conceptual risk management guidance material available to sport and recreation organisations, the purpose of this resource is to provide an overview of the key concepts of risk management and guidance on how the risk management process can be practically applied.

This is not a detailed how-to manual. It is an introductory guide with references to a variety of other resources. Because no single solution will work for every group, each organisation will need to develop a customised solution that meets its particular needs and circumstances. This resource will assist in determining the processes needed to identify, evaluate and treat risk.

This Risk Management Resource has been designed for South Australian (SA) based organisations. Legislation referred to in the legal section is mainly SA based and duly referenced. If you are not based in SA, it is advisable to check with your local and state departments of recreation and sport to gain information relevant to your own state.

The following are key requirements for successful risk-management programs:

- The board accepts responsibility and undertakes a leadership role in the process
- Commitment is gained from everyone in the organisation
- Sufficient resources are allocated
- Risk management processes are documented
- A comprehensive risk action plan, ensuring compliance with standards and legislation, is developed
- Responsibilities for specific tasks in the action plan are allocated to a person or group
- Education and training opportunities are provided
- Comprehensive safety and emergency plans and procedures exist
- Procedures are aligned to national standards and guidelines
- Monitoring and review mechanisms are in place
- Periodical reporting to the board on the status of risk management plans and mitigation strategies occurs.
This Risk Management Resource is divided into the following seven sections:

**Risk management process**
An explanation of the ten-step process that organisations can use to manage risk.

**Frequently asked questions**
Frequently asked questions and corresponding answers related to risk management in sport and recreation.

**Key risks and how to manage them**
Risks groups:
- Governance
- Legal
- Financial
- Contract management
- Probity
- Human resource
- Member protection including child protection
- Sports integrity
- Regulatory compliance
- Social media.

**Risk management and insurance**
Information regarding insurance processes, contacts and the types of insurance organisations need to consider as part of their risk management strategies. This section also includes guidance with respect to a sustainable insurance program.

**Risk management and state and national standards**
An explanation of Standards Australia Guidelines, National Sport and Recreation Competency Standards and Adventure Activity Standards.

**Other useful resources**
A variety of tools and documents to help with the risk management process and the management of risk including guidance on policy writing, checklists for an organisation audit and event management, and a risk management action template.

**Help**
A list of contacts, websites, references and organisations providing more detailed information to develop or adapt risk management plans and strategies.

In this guide we use the terms:

**Board** - to cover boards, committees of management, council or whatever other name you may have for the body that has final authority in your organisation.

**Organisation** - to cover your club; recreational, sporting or other and irrespective of the club’s legal status – unincorporated, incorporated or limited by guarantee, etc.
Risk Management Process

Risk will always be part of everyday life and it is certainly a key aspect of sport and recreation. Without risk there would be limited opportunities for exploring physical and personal development. However, you can provide a healthier and ‘legally’ safer operating environment for your organisation and its participants by adopting sound risk management practices.

Risk is defined in the Australian New Zealand Risk Management Standard (AS/NZS 31000:2009) as the ‘effect of uncertainty on objectives’.

A risk is anything untoward happening that can affect your organisation’s objectives and operations by creating exposure to potential loss or damage.

What is risk management?

Risk management is systematically identifying threats (risks) to your organisation and developing ways to minimise them. It helps to determine the most important risks to your organisation and to decide how you allocate resources to deal with them.

The AS/NZS ISO 31000:2009 defines risk management as the ‘co-ordinated activities to direct and control an organisation with regard to risk’.

Risk management is an essential element of governance.

Why manage risks?

It is important that risks are managed because they could negatively affect key aspects of the organisation as well as its overall success. Areas most affected by risk include:

- Health and safety
- Plant, equipment, environmental costs
- Financial position of your organisation
- Confidence by members, key stakeholders and funders
- Insurance premiums
- Member protection
- Reputation, publicity, credibility
- Compliance requirements.

Establishing a risk management framework

AS/NZS ISO 31000:2009 defines a risk management framework as a ‘set of components that provide foundations and organisational arrangements for designing, implementing, monitoring, reviewing and continually improving risk management throughout the organisation where:

- The foundation includes the policy, objectives, mandate and commitment to manage risk
- The organisational arrangements include plans, relationships, accountabilities, resources, processes and activities’.
- By establishing a risk management framework, your organisation can effectively manage the risks involved in all of its activities and achieve improved outcomes based on informed decision-making.

Developing a risk management process

A suggested approach for developing a risk management process is to:

- Make a board commitment to risk management and appoint one member responsible for the process.
- Identify key people to be involved in the process (stakeholders, coaches, instructors, treasurer, staff, event coordinator, etc.).
- Set up a committee to undertake the risk management process and report to the board regularly.
- Communicate your risk management strategies to everyone in your organisation.
- Monitor and review your risk management plan regularly and at the board level.

Generally, risk management tends to focus on what can go wrong, but it is important to remember that any event, circumstance or situation that occurs can also provide an opportunity for improvement.
Generally, risk management tends to focus on what can go wrong, but it is important to remember that any event, circumstance or situation that occurs can also provide an opportunity for improvement.

**Risk management can be simplified into four questions**

1. What untoward things could happen?
2. What would be the impact?
3. What can the organisation do about it?
4. How do we communicate this to everyone involved?

To get you started, this resource presents a simplified version of the risk management process outlined in the Australian Risk Management Standard AS/NZS ISO 31000:2009.

Your risks will need to be managed within an overall risk management framework, which can be based on the process as outlined in AS/NZS ISO 31000:2009 and depicted below.

Key stages of risk identification and management include identification, assessment, analysis, evaluation and treatment. This means:

- Identifying what is the risk
- Determining how it is best treated, which can involve:
  - avoiding the risk (i.e. deciding not to commence or continue with the activity that results in the risk)
  - removing the source of the risk
  - changing the likelihood of the risk occurring
  - changing the consequence of the risk on your organisation’s goals
  - sharing the risk with another party or parties
  - retaining the risk by informed decision
- Determining when is it best treated
- Deciding who will manage the risk.

This document will look at each stage in turn as part of the ten steps that you can follow to develop a risk management plan. It is important to work through each step of the process. If you skip or rush through any of the steps, you risk creating inappropriate ‘quick fixes’ that can create more problems.

The ten steps to risk assessment and developing a risk management action plan are as follows:

1. Make a commitment as an organisation to risk management.
2. Identify all possible material threats and risks.
3. Assess the level of each risk.
4. Decide to accept, treat or transfer each risk.
5. Determine treatment options for all unacceptable risks.
6. Formalise your risk management action plan.
7. Implement your treatment options.
8. Communicate information to everyone affected.
9. Review your risk management action plan on a periodical basis (at least quarterly) or sooner if a major issue arises in your organisation’s operations.
10. Identify any new risks and update your plan.
Ten steps to risk assessment and developing a risk management plan

1. **Make a commitment as an organisation to risk management**

This means involving as many people as possible – not just the board. This essential first step in risk management involves awareness and education. Risk management is a global issue; everyone involved with the organisation must understand what the risks are, how you manage those risks and what their role is in risk management.

This can be done through a risk management policy1, which includes:

- A statement on the degree to which your organisation embraces a risk management culture (e.g. appointing a risk management officer, reviewing risk management reports at each board meeting)
- The identities of those responsible for risk management, who they report to, how and when reports are made
- A summary of the risk management process your organisation is going to follow.

Once you have developed a policy, it should be endorsed by your board and distributed throughout your organisation as widely as possible. One means of ensuring a wide distribution is to store all your key policies on your organisation’s website portal.

Remember to protect the confidential and proprietary information of your organisation (i.e., avoid disclosing any confidential information on your organisation’s website portal).

2. **Identify possible threats and risks**

Before you start listing risks, it is worth looking at the environment in which your organisation operates. Start by determining what standards and legal requirements apply and review the goals of your organisation to get a feel for ‘the big picture’. It is important that you consider the legal and economic environment in which your organisation currently operates and the potential legal exposure that could result from your activities.

You will need to look at the factors that affect risk management both outside the organisation (community values, industry standard, etc.) and inside (goals, relationships, activities, capabilities, reliance on sponsorship/grants, etc.) so you do not examine risks out of context.

Risks can be things that affect your organisation as a whole such as declining membership or not securing sponsorship for an event.

The types of risks your organisation may face include:

1. physical – injury or damage to persons or property
2. legal – breaching legal obligations
3. moral/ethical – harm to your organisation’s reputation
4. financial – loss of the organisation’s assets
5. human resource – a lack of requisite knowledge, skills and experiences among key personnel or board members could threaten the achievement of your organisation’s objectives and goals
6. information technology - the risk that information technologies used in the organisation are not operating as intended or are compromising the integrity and reliability of data and information
7. social media – harm to an organisation’s reputation.

---

1 Refer to the section titled Risk Management – Useful Websites and Other Resources
Examples of risks include:

- Decline in number of volunteers
- Loss of data/records
- Funding cuts
- Negative publicity
- Attracting too many participants for an event
- Damage to the environment
- Discrimination or harassment
- Theft of property
- Injury to a staff member, spectator or participant
- Equipment failure
- Lack of appropriate policies and procedures relating to finance, member protection, etc.
- Key services not covered by a legally binding contractual agreement
- Inadequate funds for major capital development project that is underway
- Flooding of premises.

Risk identification means looking at all possible sources of risk, both internal and external. There is not one ‘right way’ to identify risk.

A combination of methods is best, such as inspections, checklists, rules, review of policies and gathering information from people both inside (staff, volunteers, members) and outside (stakeholders, funding bodies, council) of your organisation. Those who have been around for a while can be useful resources, but do not ignore the fresh eyes of those who are new to your organisation. You should look at the current skills required by staff/volunteers and how they compare to the accepted industry standards or best practice.

Refer to the section titled Other Useful Resources – Audit Tools and Templates.

Consider all of the following operational areas of your organisation:

- Administration and management
- Finances
- Education and training
- Facilities and equipment
- Health and safety
- Event management
- Personnel/key people
- Legal (regulations, contracts and duty of care).

Make sure you have gathered enough relevant, detailed and accurate data and/or information when trying to identify risks.

You need to identify:

<table>
<thead>
<tr>
<th>Source of the risk</th>
<th>What is at risk</th>
<th>What the impact could be</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rain is making the playing surface slippery.</td>
<td>People (players, referees), assets, and reputation are at risk.</td>
<td>Injury and financial loss are possible outcomes.</td>
</tr>
</tbody>
</table>

From these three points, you can be more specific in defining the risks:

- There is a risk that slipping on the wet surface could injure players
- There is a risk that litigation against the organisation (and subsequent financial loss) could result if a player is injured
- There is a risk that the organisation’s reputation will suffer if the problem is not managed.
When you are identifying risks, you will also need to consider the following example factors:

- Age and capacity of participants (children require extra care)
- Type of activities
- Past history of accidents, injuries and losses
- Standard of equipment
- Use of equipment
- Existing problems with operating procedures or practices
- The facilities and equipment to be utilised
- The environment in which your activity is taking place.

**Audit tools**

Rather than wait for a disaster, progressive organisations are now shifting to a culture of continuous improvement and using audits as a tool to regularly evaluate their performance and guide their direction in risk management.

**What is an audit?**

An audit is a systematic and critical examination of the key risk and safety areas in an organisation. It is also a diagnostic tool that identifies an organisation’s strengths, weaknesses and main areas of vulnerability to risk.

The two main audits covering risk for sport and recreation organisations are:

- Risk audit - related to an organisation’s risks
- Safety audit – focusing on injury prevention.

You can use the following basic organisation risk audit tool as a starting point to identify risks.

The Audit Tools and Template section also contains additional safety tools (Activity Leaders Checklist, Smartplay Guidelines and an Event Management Checklist).
Organisation risk audit

This document is included in the Audit Tools and Templates section for you to download and print or customise for your organisation.

Organisation Risk Audit - Checklist

<table>
<thead>
<tr>
<th>Governance/Management</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is your organisation incorporated?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does your organisation have an up-to-date constitution?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is the person listed with Consumer and Business Services as your public officer up to date (as required under the Association Incorporation Act 1985 (SA))?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Have you reviewed your constitution within the last twelve months?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Have you registered your current constitution with Consumer and Business Services (as required under the Association Incorporation Act 1985 (SA))?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does your organisation have any policies or procedures to guide its decision-making (code of conduct for the board, conflict of interest policy, etc.)?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Are these policies communicated to all affected?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do you have position descriptions for all office bearers/staff?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does your board meet regularly and document all decisions and actions?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is the annual report circulated to all members?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Are your rules, by-laws and practices non-discriminatory?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do you have a clear plan for the future that describes what you want to do and how you are going to do it?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does the organisation have or has considered the need for the following insurance covers: public liability, professional indemnity and directors and officers liability?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does the organisation have a register of insurance policies detailing all current insurance policies?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does your organisation meet the terms of any contracts with which it is involved?</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Legal</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>When your organisation is entering into a major contract, does it seek legal advice?</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Organisation Risk Audit - Checklist - cont.

### Financial

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Are all financial transactions accurately recorded (receipted, banked)?</td>
<td></td>
</tr>
<tr>
<td>Do you have a realistic budget and do you present regular financial reports that identify how you are going against that budget?</td>
<td></td>
</tr>
<tr>
<td>Is an annual audit required and conducted of your financial records?</td>
<td></td>
</tr>
<tr>
<td>Is all expenditure authorised through an identified process?</td>
<td></td>
</tr>
<tr>
<td>Do you have financial policies and procedures in place to guide officers of the organisation/treasurer/general members?</td>
<td></td>
</tr>
<tr>
<td>Do your financial policies and procedures ensure that each step in financial handling (receipt, recording, banking, reporting) is not completed by one person?</td>
<td></td>
</tr>
</tbody>
</table>

### Human Resources

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>For paid staff, does your organisation comply with the minimum conditions for employment and/or the applicable modern award?</td>
<td></td>
</tr>
<tr>
<td>Is your organisation able to present documentary evidence in support of this compliance?</td>
<td></td>
</tr>
<tr>
<td>Are procedures in place to ensure the security of staff and volunteers’ information and compliance with privacy legislation if applicable?</td>
<td></td>
</tr>
<tr>
<td>Do you have a set of standard human resource policies and procedures in place to help guide behaviour and decision making to manage the human resource risk associated with the paid staff and volunteers within your organisation?</td>
<td></td>
</tr>
<tr>
<td>Do you have a volunteer management plan?</td>
<td></td>
</tr>
<tr>
<td>Do you have proper induction processes for all new paid staff and volunteers who have a specific role and responsibility?</td>
<td></td>
</tr>
<tr>
<td>Do you have position descriptions for all key paid and volunteer positions in your organisation?</td>
<td></td>
</tr>
<tr>
<td>Do you have written and signed agreements/contracts in place for each paid staff member?</td>
<td></td>
</tr>
</tbody>
</table>
## Risk Management Process cont.

### Organisation Risk Audit - Checklist - cont.

<table>
<thead>
<tr>
<th>Member Services</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Are procedures in place to ensure the security of membership information and compliance with privacy legislation if applicable?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does your organisation communicate regularly and effectively with its members?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do you have a procedure for dealing with complaints?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Has everyone (staff, volunteers and participants) agreed to a code of behaviour or conduct?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do members understand the extent of their duty of care?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do you require participants to sign a membership application or registration form prior to participating?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Are all applications for membership vetted and approved by the Board?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do all coaches/instructors/leaders have appropriate and current accreditation?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do you promote education and training opportunities for members?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do you conduct risk assessments on all programs, activities and events?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Are risk assessments documented?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Have you considered whether the use of a recreational services waiver under the Fair Trading Act would be the appropriate for your organisation to manage risk to participants?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is there a clear procedure for reporting accidents/injuries?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Are regular safety inspections made of buildings, grounds and equipment?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do you ensure the recommended rules of play and protocols are followed for your activity?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do you have an emergency plan?</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Organisation Risk Audit - Checklist - cont.

**Compliance**

<table>
<thead>
<tr>
<th>Question</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Do you have a mechanism in place to periodically review and assess whether your organisation meets the definition of a ‘prescribed organisation’ as per section 35 of the Association Incorporation Act 1985 (SA)?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is your organisation eligible for income tax exemption?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>YES - Has your organisation conducted a self-review of its continued entitlement to income tax exemption within the past 12 months or applied for a private ruling?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>NO - Your organisation may need to lodge an income tax return. Does your organisation have a process for meeting its ongoing taxation obligations?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is your organisation an exempt employer for payroll tax purposes?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>YES (exempt) - Have you applied to Revenue SA for a decision on the exempt status and is this exemption current?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>NO (not exempt) - Have you established whether the level of wages paid or payable requires you to register for payroll tax with Revenue SA?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Have you considered the health and safety of everyone in the organisation and do you meet work health and safety regulations?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do you meet the legislative requirements (for example PAYG, super contributions) for paid employees?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>If you provide services to children, have you lodged or had lodged on your behalf, a child safe environment compliance statement and are you aware of the organisation’s requirements under the Children’s Protection Act 1993 (SA)?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Are you aware of the legislation or local government by-laws that could apply to your activities?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Are you aware of the industry standards that apply to your operations?</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Other**

<table>
<thead>
<tr>
<th>Question</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Does your organisation have a social media policy and procedure?</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Once you have determined what may constitute a risk (generally the questions that you have answered ‘No’ to), insert these into the Risk Management Action Plan Template. An example of how to use this template is on the following page.

The template is included in the *Audit Tools and Templates* section for you to download and print or customise for your organisation.
### Risk Management Process

#### Examples

<table>
<thead>
<tr>
<th>Potential Risk</th>
<th>Level of Risk</th>
<th>Reason for Risk Rating</th>
<th>Action</th>
<th>Resources Required</th>
<th>Responsibility</th>
<th>Timeline</th>
<th>Communication</th>
<th>Risk Treated</th>
<th>Review Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Risk and date identified (See Step 2)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unincorporated club as at 28 May 2014.</td>
<td>High</td>
<td>Leaves the club and its committee members legally and financially vulnerable if the club becomes insolvent.</td>
<td>Become incorporated, Contact Consumer and Business Services, Money - current registration fee (1 July 2013) is $176.</td>
<td>Club secretary</td>
<td>Immediately</td>
<td>Secretary to report at next committee meeting and outcome minuted.</td>
<td>Yes - 30/6/14</td>
<td>No</td>
<td>Sept 2014</td>
</tr>
<tr>
<td>Lack of financial policies as of March 2014.</td>
<td>Medium</td>
<td>Financial roles and responsibilities are not known or documented for reference purposes.</td>
<td>Treasurer to identify key financial policies and provide list to the committee for consideration. Following a review of the list by the committee, key financial policies to be drafted.</td>
<td>Time</td>
<td>Treasurer – for drafting, and board to endorse and approve.</td>
<td>Due for completion by Sept 2014.</td>
<td>No</td>
<td>Sept 2014</td>
<td></td>
</tr>
<tr>
<td>Lack of member protection policy as of March 2014.</td>
<td>High</td>
<td>Risk to members and the committee. Lack of documented complaint procedures may lead to poor processes. Lack of understanding of discrimination, harassment or child protection requirements may lead to issues with legal consequences.</td>
<td>Contact National or State Sporting Body to obtain up to date copy of Member Protection Policy. Policy to be documented and adopted</td>
<td>Time</td>
<td>Board and members representative</td>
<td>Immediately</td>
<td>Yes, pending endorsement</td>
<td>March 2015</td>
<td></td>
</tr>
</tbody>
</table>
3. Assess the level of each risk

The next stage is to assess the level of risk. One way of doing this is to use something called a risk severity matrix. This helps you incorporate factors such as frequency (the likelihood of occurrence) and severity of impact (consequences for your organisation).

A risk matrix should combine the likelihood of the risk occurring and the consequence should such a risk occur. Combined, they result in the risk rating for treating and/or monitoring the risk.

Parameters should be set for each likelihood and consequence in an organisation’s risk matrix.

For example, the likelihood of a risk occurring may be classified as unlikely on a simple matrix as follows:

<table>
<thead>
<tr>
<th>Score</th>
<th>Likelihood</th>
<th>Definition/Parameter</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Almost certain</td>
<td>Is expected to occur in most circumstances.</td>
</tr>
<tr>
<td>4</td>
<td>Likely</td>
<td>Will probably occur in most circumstances.</td>
</tr>
<tr>
<td>4</td>
<td>Possible</td>
<td>Might occur at some time.</td>
</tr>
<tr>
<td>2</td>
<td>Unlikely</td>
<td>Could occur at some time.</td>
</tr>
<tr>
<td>1</td>
<td>Rare</td>
<td>May occur in exceptional circumstances.</td>
</tr>
</tbody>
</table>
### Risk Management Process

The consequence of a risk occurring may be defined as follows:

<table>
<thead>
<tr>
<th>Score</th>
<th>Risk Rating</th>
<th>Impacts</th>
<th>Description of Impacts</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Catastrophic</td>
<td>Financial</td>
<td>Revenue loss or increased expense &gt;$500K</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Strategy</td>
<td>Significant number of major strategic plan objectives not achieved</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Economic</td>
<td>Significant asset destruction or other financial/economic loss</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Social/People</td>
<td>Long-term workplace/community harm</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Service Delivery</td>
<td>Cessation of multiple services or programs</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Environmental</td>
<td>Permanent long-term environmental harm, loss of significant environmental assets</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reputation &amp; Image</td>
<td>Long-term damage and loss of confidence by community</td>
</tr>
<tr>
<td>4</td>
<td>Major</td>
<td>Financial</td>
<td>Revenue loss or increased expense &gt;$200K but &lt;$500k</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Strategy</td>
<td>A number of strategic objectives not achieved</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Economic</td>
<td>Loss of asset or damage lasting many months or other major financial/economic loss</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Social/People</td>
<td>Significant long-term workforce/community harm, industrial action during many months</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Service Delivery</td>
<td>Cessation of some services or programs</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Environmental</td>
<td>Significant long-term environmental harm, loss and damage of significant environmental assets</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reputation &amp; Image</td>
<td>Sustained damage and loss of confidence for many months</td>
</tr>
<tr>
<td>3</td>
<td>Medium</td>
<td>Financial</td>
<td>Revenue loss or increased expense &gt;$50K but &lt;$200k</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Strategy</td>
<td>Major components of strategic objectives not achieved</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Economic</td>
<td>Loss of asset or damage lasting several months or some financial/economic loss</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Social/People</td>
<td>Significant short-term workforce/community harm, short-term industrial action</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Service Delivery</td>
<td>Disruption to some services or programs</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Environmental</td>
<td>Significant release of pollutants with mid-term recovery, significant but temporary damage to environmental assets</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reputation &amp; Image</td>
<td>Significant but short-term damage to reputation/image</td>
</tr>
<tr>
<td>2</td>
<td>Minor</td>
<td>Financial</td>
<td>Revenue loss or increased expense &gt;$10K but &lt;$50K</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Strategy</td>
<td>Minor parts of strategies not achieved</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Economic</td>
<td>Loss of asset or damage lasting up to a month or minor financial/economic loss</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Social/People</td>
<td>Minor transient workforce/community harm, threats of industrial action</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Service Delivery</td>
<td>Some disruption to services or programs</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Environmental</td>
<td>Minor transient environmental harm, minor temporary damage to environmental assets</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reputation &amp; Image</td>
<td>Some negative mention of an agency or agencies in the press</td>
</tr>
<tr>
<td>1</td>
<td>Insignificant</td>
<td>Financial</td>
<td>Financial Revenue loss or increased expense &lt;$10k</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Strategy</td>
<td>No effect on strategies or objectives</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Economic</td>
<td>Loss of assets or damage lasting days or insignificant financial or economic loss</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Social/People</td>
<td>Incident without workforce or community harm, dialogue with industrial groups</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Service Delivery</td>
<td>No interruptions to services or programs</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Environmental</td>
<td>No environmental damage or loss</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reputation &amp; Image</td>
<td>No damage to reputation</td>
</tr>
</tbody>
</table>
Risk Management Process cont.

You need to ensure that all risks are analysed using the same risk criteria. It is important that you determine the level of detail that will be appropriate for your particular circumstance.

An example matrix combining the scores of the likelihood and consequence tables above, can result in the following risk matrix:

<table>
<thead>
<tr>
<th>Consequence</th>
<th>Likelihood - unlikely</th>
<th>Likelihood - likely</th>
</tr>
</thead>
<tbody>
<tr>
<td>Risks</td>
<td>Unlikely</td>
<td>Likely</td>
</tr>
<tr>
<td>Minor consequence for the organisation</td>
<td>Sponsor pulls out of the event</td>
<td>Cash-flow problems arise because participants don’t register in advance</td>
</tr>
<tr>
<td>Consequence score assessed as 2</td>
<td>Risk Rating = Low Risk</td>
<td>Risk Rating = Moderate Risk</td>
</tr>
<tr>
<td>Medium consequence for the organisation</td>
<td>Electronic timing system fails and competition results are unable to be used for qualifying for national titles</td>
<td>Rain occurs on the morning of the event making the surface slippery and an accident occurs</td>
</tr>
<tr>
<td>Consequence score assessed as 3</td>
<td>Risk Rating = Moderate Risk</td>
<td>Risk Rating = High Risk</td>
</tr>
</tbody>
</table>

Example - Risk Rating Descriptors and Required Action

The following table provides an example of a definition for each risk rating and the actions to be undertaken.

<table>
<thead>
<tr>
<th>Risk Rating</th>
<th>Required action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low</td>
<td>Acceptable: Unlikely to require specific application of resources; manage by routine procedures. Monitor and review.</td>
</tr>
<tr>
<td>Moderate</td>
<td>Generally not acceptable: Likely to cause some damage, disruption or breach of controls. Board attention needed and officer/management responsibility specified. Treatment plans to be developed and endorsed by the board.</td>
</tr>
<tr>
<td>High</td>
<td>Generally not acceptable: Likely to cause some damage, disruption or breach of controls. Board attention needed and officer/management responsibility specified. Treatment plans to be developed and endorsed by the board.</td>
</tr>
<tr>
<td>Extreme</td>
<td>Not acceptable: Likely to threaten the survival or continued effective functioning of the program or the organisation, either financially or politically. Immediate action required; must be managed by a designated officer of the organisation and a detailed treatment plan reported to the board.</td>
</tr>
</tbody>
</table>

4. Decide to accept or treat each risk

The second part of the assessment stage is an evaluation of each risk to decide whether it is acceptable or unacceptable. Some risks are acceptable simply because the level of risk and/or the consequences are so low that it does not justify any specific further action. For example, the risk of running out of sausages if there is a large crowd attending the game may have little impact.

Once you have prioritised all the risks, you can then look at the appropriate way of dealing with each one, starting with the highest risk. You may already have some controls in place to deal with risks such as rules, policies, procedures, technical systems and training requirements. When evaluating risks, consider:

- The controls already in place to manage the risk
- Costs associated with managing the risk or leaving it untreated
- The possibility of transferring some or all of the risk through insurance or waivers.

Think about how well you currently manage the risk and if any risks are borne by other stakeholders and if there are any potential weaknesses in the current control methods.
5. Determine treatment options for all unacceptable risks

If you have identified risks that are unacceptable, you need to determine what action you need to take to address each risk. Treatment options may include:

- Avoiding the risk – you might decide not to go ahead with an activity that is considered a high risk
- Reducing the risk – this is a common course of action that may include strategies like changes to rules or equipment.
  - Firstly, consider solutions not reliant on human behaviour (such as selecting the best playing surface) and then consider administrative solutions such as rules, policies, training and emergency planning
  - Finally, look at personal protective equipment such as mouthguards, helmets, eyewear, etc.
- Transferring the risk – purchase insurance and use waivers, warnings and release forms
- Retaining the risk – there are some risks that are acceptable and part of most sport and recreation activities such as minor injuries in contact sports.

Other strategies to consider include:
- Training – requiring personnel to undergo specific training before certain activities
- Documentation – creating standard operating procedures for using specific equipment
- Resourcing – obtaining additional funds to reduce staff/client ratios
- Systems – creating a maintenance schedule for the facility.

6. Formalise your risk management plan

There are generally three things that you can do to formalise your plan: document, appoint a risk management officer and create a standing agenda item at the board meeting.

Step 1 - document the plan

It is recommended that you document your risk management process. By using the Risk Management Action Plan Template to record the risks, their rating and the proposed action, you will be able to formalise this process, as the action plan summarises the outcomes of the evaluation and the actions required as a result.

You may also wish to consider developing a risk register, which lists the identified risks in order of priority, refers to the Risk Management Action Plan and identifies the individual responsible for the management of each risk.

This should be updated regularly as risks are no longer relevant or new risks appear.

Ideally, after developing a risk register, a risk prioritisation process is undertaken. Risks that pose the threat of greatest loss and have the greatest probability of occurring are dealt with first.

Another important aspect is to distinguish your risks as either strategic or operational.
**Strategic**

Strategic risks are those that arise from the fundamental decisions that the board makes concerning an organisation’s objectives. Essentially, strategic risks are the risks that impact on an organisation’s ability to achieve its business objectives.

An example of strategic risk is the inability to fund the financial obligations of an organisation.

**Operational**

Operational risks refer to potential losses arising from the normal business/organisational operations. Accordingly, they affect the day-to-day running of operations in contrast to strategic risks that arise from the organisation’s strategic positioning.

Operational risks are managed at a risk management level (not necessarily board level) and can be managed and mitigated by internal control mechanisms including policies, procedures, etc.

In example of operational risk is the failure to receive material sent by mail.

**Key point: Distinguish your risks as either strategic or operational.**

**Step 2 - appoint a risk management officer**

In addition to documenting your plan, the board should also consider nominating one person to be responsible for risk management. The nominee should be given clear guidelines on his or her role in reporting and dealing with risks. Ideally this person needs to be fully conversant with the risk management process. If not, training should be undertaken.

**Step 3 - create a standing agenda item**

You can also list risk management as a standing item on the organisation’s meeting agenda to ensure it is considered at each meeting. Every committee member can then report on any potential hazards or risks.

Implementing these three steps collectively should help you communicate to your insurer that you are taking all possible steps to minimise risk.

7. **Implement your treatment options**

For each risk that needs treatment, you need to answer the following questions:

- What is to be done?
- What resources are required?
- Who is responsible for doing it?
- When should it be completed?
- When should it be reviewed?

Treatment may include:

- Implementing policies
- Erecting signs
- Providing training
- Replacing equipment
- Purchasing insurance
- Scheduling regular reports on the strategy associated with the management of the risk.

**Image:** A group of people participating in an outdoor activity.
In implementing your treatment options, you may wish to establish a minimum risk management standard for your organisation. To do this, you may choose to:

- Identify any legal requirements such as laws relating to child protection
- Identify any national standards relevant to the activity such as equipment
- Identify any standards relating to the facilities and equipment for your sport or activity
- Consider any common or best practices such as the member protection policy developed by the Australian Sports Commission
- Utilise these resources as a guide to develop your own minimum risk management standard
- Ensure that your treatment actions are recorded and filed
- Ask yourself if the minimum standard you have developed meets your risk management requirements for your particular issue

8. Communicate information to everyone affected

Communication is arguably the single most important factor in the successful implementation of risk management. You need it to gather the relevant information, make judgements about the level of risk and decide on options for treating it.

Feedback about whether risk minimisation strategies are working is also essential.

Once your risk management plan and risk register is endorsed by the board, consider telling stakeholders/members etc., about your risk management process via newsletters, minutes and websites so everyone affected is clear about their role and responsibilities.

9. Review your risk management plan

Once you have developed your risk management action plan, you need to continually monitor your risks and review the plan regularly. It is a good idea to check your progress each month in the early stages of your plan formulation and then at agreed intervals (for example quarterly) to see whether you are achieving your aims. You may need to determine if you have allocated enough resources to complete the tasks in the timeframe.

10. Identify any new risks and update your action plan

The one constant thing in life is change – circumstances and situations are constantly varying. Once you commence the process of risk management, there is no doubt new risks will emerge. You need to be able to deal with them when they arise and incorporate them into the organisation’s risk management plan so it remains up-to-date.

As new risks are always emerging, risk identification should be a continuous process.

Key point: Remember to confirm the validity of previously identified risks as part of your overall risk management.
Risk Management and Events

Many organisations conduct a variety of events as part of their operations. Whether you host a one-off event or you host regular, ongoing events, risk management is equally important. The same principles apply in both cases. You can use the risk management process described previously in this chapter to identify, analyse and treat the associated risks.

Keep in mind that events often have special circumstances that contribute to risk such as:
- Venues owned by others
- Transport/public road usage
- Large crowds
- Reliance on volunteers/untrained people
- Limited control over suppliers and subcontractors
- Weather
- Decision-making under pressure
- A need to foster good community relations.

One strategy is to use test events/event modelling as a risk identification method, especially for larger events. Make sure you consider all areas of the event including promotion, theme/activity, operations, post-event activities and environmental factors.

Keep in mind that a risk identified under ‘promotion’ will have a ripple effect across the entire event. For example, if a high-profile, international athlete is secured, this may change participation numbers, security, and facilities required. Consequently, risks across the whole event need to be re-examined, not just promotional risks.

An outcome of the risk analysis process may be a contingency plan designed to respond to high risks and minimise their impact.

To assist with your event management planning, including event safety, refer to the Audit Tools and Templates section for an example Event Management Checklist.

Key point: Risk management is everyone’s responsibility and is simply a logical, common-sense way of making sport and recreation safer and more enjoyable for everyone.

Risk Management - Useful Websites and Other Resources

Example policies
- Surf Life Saving Australia²
- Department for Education and Child Development³
- Swimming NSW⁴

Templates
- Risk Management Policy⁵

Training
- SAI Global⁶
- Australia Institute of Management⁷

⁷ Risk Management Processes - Identify, assess, evaluate and monitor risk.
The following are frequently asked questions and answers related to risk and risk management.

**Legislation** (See the Legal Terms, Key Concepts and Legislation section for more information.)

**What is the Volunteer Protection Legislation?**

It is legislation enacted in South Australia that provides greater protection against volunteers being sued; however, organisations can still be sued.

**Do the new privacy laws mean that we cannot give out members’ details to our sponsors?**

Yes, unless you have the permission of each member to do so.

**Governance** (See the Governance – Conflicts of Interest section for more information)

**As a board member, when do I declare potential conflicts of interest?**

As soon as taking office or as soon as the conflict becomes a potential issue.

Conflicts of interest arise when the personal or professional interest of a board member is potentially at odds with the best interests of the organisation.

Example conflicts of interest include:

- A board member or a close relative of the board member who personally contracts for the organisation
- Buying materials or services from a board member’s company
- Having an association with another entity, for example a local council, whose decision may affect the organisation.

**Insurance** (See the Risk Management and Insurance section for more information.)

**We often have cake stalls and sausage sizzles as part of our fundraising activities. Does our public liability cover us for food poisoning?**

Not necessarily. You will need to check your public liability policy carefully. You may need a separate products liability insurance policy.

**Child protection** (See the Child Protection section for more information.)

**Does our club have to insist on volunteers having a police check?**

The Children’s Protection Act 1993 (SA) requires:

- All paid or volunteer persons holding a ‘prescribed position’ are required to complete a ‘relevant history assessment’ before they are engaged or appointed unless an exemption applies.

The relevant history assessment must include reviewing a National Police Check or alternatively undertaking a DCSI Screening for Working with Children.

There are situations were an exemption may apply, however, even if some people meet the criteria for exemption, organisations may still require people in these categories to undergo a relevant history assessment as a matter of good organisational practice, even if an assessment is not required by law.

**Discrimination and harassment** (See the Legal Terms, Key Concepts and Legislation section for more information.)

**Our head coach has been overheard chatting up one of the young female players in his team. What should we do?**

Advise the coach that this is unacceptable behaviour and (if you haven’t already) adopt a code of conduct that all coaches and officials are required to sign. Organisations should have a member protection policy that covers discrimination and harassment. Everyone should be made aware of this policy (see the Legal Concepts section).

**Several players are exhibiting behaviour undesirable to our club and the majority of members. How do we get rid of them? Will we be open to action?**

Your club is responsible for its own set of membership rules. To remove an existing member you must follow the processes contained in your constitution.

An organisation has the power to decide who is and who is not a member.
As a leader of an activity group, I have suspicions that a child is being abused by his/her parent. Do I need to investigate and make sure before I do anything?

Legislation requires that if you are engaged in a delivery of services for children or in a management position for a recreation or sport organisation that provides a service to children, you are now a mandated notifier.

A mandated notifier’s role is not to investigate or to prove that the abuse has occurred. Individuals in this role are simply required by law to report any suspicion on reasonable grounds that a child has been or is being abused to the Child Abuse Report Line (CARL) 13 14 78.

**Liability** (See the Legal Terms, Key Concepts and Legislation section for more information.)

When there is joint use of facilities (such as ovals), who is liable if something happens?

Potentially all parties (e.g. footy club, cricket club, council, state association) that have an interest are liable; therefore, all parties should have appropriate risk management and insurance policies.

For example, if a club uses a council building, reserve or facility, this often requires a formal agreement to be entered into. These agreements outline the roles and responsibilities of all parties. These agreements should be considered when developing appropriate risk management practices.

Who is liable if someone gets injured while trespassing on our property?

The club/organisation is liable, but the court is more lenient in these matters. The greater the effort taken to keep trespassers out, the more lenient the court will be. Take, for example, the story of a motorcyclist who was injured while trespassing in a national park.

The court upheld that the motorcyclist was not an invited user and there was no negligence on the part of the state government.

For events in public areas, such as roads, who is liable for unforeseen accidents?

The event manager or organiser may be liable; therefore, you need very good risk management procedures and insurance cover.

For high risk activity you might consider requiring all adult participants to complete a recreational services waiver as allowed under the *Fair Trading Act 1987 (SA)*.

**How much can claims cost and what if an organisation can’t pay?**

There are no limits. Claims can exceed several millions of dollars. If an organisation can’t pay, the court, in order to recover as much of the money as possible, will wind up the organisation. Directors and office bearers (if incorporated) will face only limited liability.

If the organisation is unincorporated, all directors/office bearers may also be personally liable.

**WHS** (See the Legal Terms, Key Concepts and Legislation section for more information.)

Who is a volunteer for WHS purposes?

You are a volunteer under the work health and safety laws if you are not working for payment or reward (although you may receive payment for out-of-pocket expenses).

**Are there any penalties for not registering with ReturnToWork SA?**

Yes. Unless you are exempt from registering, if you fail to register your business with ReturnToWork, you may be prosecuted and receive a penalty of up to $10,000 for every worker you employ.

**FURTHER ADVICE** (See the Help section for more information.)

Where do we go for legal and insurance advice?

The Law Society of SA is a not-for-profit advisory service and will advise you of your best options.

Use an insurance broker for insurance matters.

See also the Legal, Risk Management and Insurance and Child Protection sections for more detailed information on some of the issues raised in these questions.
Key risks – knowing what they are and how they can be managed

Risk management is an essential element of governance. As such, organisations need to be aware of the type of and source of key risks that will affect them.

This resource includes a broad category of risks that are inherent in your organisation’s operations. It also provides guidance in terms of the controls that can be put in place to manage risks such as self-assessment questionnaires, policy and procedural development, checklists of requirements, training, etc.

This resource deals with the following categories/sources of risk:

• Governance
• Legal
• Financial
• Contract management and probity
• Human resource
• Member and child protection
• Sports integrity
• Compliance
• Social media
• Insurance.

There is no one risk management solution that will work for every organisation. As this list of risks is not exhaustive, each organisation will need to develop a customised solution that meets its particular needs and circumstances.

This means you will need to ensure that your organisation considers any other relevant category of risk and manages those risks appropriately.

**Governance**

*What is governance?*

Governance is the system through which organisations are directed and managed. The purpose of governance is to ensure that an organisation manages its resources to good effect for both members and stakeholders.

This resource aims to provide you with a basic understanding of the minimum governance standards so that you can properly manage the affairs of your organisation and manage associated risks.

For more in-depth information, refer to the:

• Office for Recreation and Sport's Governance publication⁸

In general, governance concerns three key issues:

1. How an organisation formulates its strategic goals and directions.
2. How the board monitors the performance of the organisation to make sure it reaches these strategic goals and establishes ‘rules’ to ensure that it complies with its legal and regulatory operations.
3. Ensuring that the board acts in the best interests of the organisation as a whole and has the capacity to undertake the above.

In general, governance concerns four key elements:

1. How an organisation develops strategic direction and goals
2. How a board monitors the performance of its organisation to ensure it achieves these strategic goals
3. Effective systems in place to comply with legal and regulatory obligations.
4. How a board ensures that it acts in the best interests of the organisation’s members.

In addition to these elements, good governance is also accountable, transparent, responsive and ultimately responsible to the membership. This means that the board of your organisation has an obligation to report, explain and be accountable for the consequences of decisions that are made. In addition, others (including members, staff/volunteers and the ORS, for example) should be able to clearly follow and understand how decisions are made in your organisation.

Finally, your organisation (and the board of your organisation) is ultimately responsible to its members. The actions of the organisation and the board should always try to serve the entire membership and balance interests in a timely, appropriate and responsive manner.  

**Why is governance important?**

Governance has become a key focus for sporting organisations in recent years. In particular, the release of the Australia Sports Commission’s (ASC) high performance strategy – Australia’s Winning Edge – highlighted the importance of good governance to promote success and minimise risk within sporting organisations. Good governance allows for a number of key benefits to your organisation including:

- **Better management** – Good governance tends to encourage better and more efficiently managed clubs or associations.
- **Improved communication** – Clubs or associations that are well run tend to have better informed employees, members and volunteers.
- **Greater confidence** – Members and other stakeholders are more likely to have confidence in a club or association where decisions are made in a transparent and accountable way. This increased confidence may also extend to sponsors and insurers who are likely to have higher regard for a well-run club or association.
- **Growth and sustainability** – Good strategic and business planning and the implementation of sound policies and procedures help to sustain and grow an organisation.
- **Enhanced reputation** – Through satisfied members, the profile and reputation of your club or association can be raised.  
- **Risk management** – Good governance provides a framework to ensure that your club or association meets its legal obligations, manages its risks and ensures appropriate accountability throughout the organisation.

The following section provides a summary of governance essentials you need to consider. They are presented under sub-headings for ease of use.

**Key point:** the majority of these concepts will apply to your organisation, irrespective of its size.

**Board Composition and Behaviour**

**The board**

Every club or association should have a board whose primary role it is to govern the organisation and oversee its strategic direction. The board’s primary responsibility is to direct and hold in trust your organisation on behalf of the members and stakeholders and to ensure that your club or association (the legal entity) remains viable and effective in the present and for the future.

More specifically, the role of the board usually involves a number of key elements such as:

- Determining, reviewing and maintaining the vision, purpose and values of the organisation
- Approval of short- and long-term strategies
- Ensuring that expenditure is guided by setting and approving annual budgets
- Determining how expenditure is approved including setting pre-determined limits for approval outside of the board
- Appointment, performance evaluation and (if necessary) the termination of the CEO (if applicable) or other senior management
- Risk oversight
- Checking and ensuring the integrity of external reports (financial and non-financial)
- Any other monitoring activities as required
- Supporting effective engagement with the membership and other key stakeholder (e.g. the ORS)
- Enhancing the public profile and reputation of the organisation.

9 Please note that for ease of reference, the terms ‘board’, ‘board member’ or ‘director’ and ‘chair’ will be used throughout this section; however, your organisation may use other terms to describe these roles. These may include ‘committee’, ‘commission’, ‘council’, ‘committee members’ and ‘councillors’.

Key risks – knowing what they are and how they can be managed cont.

For more information regarding the role and key responsibilities of the board, visit the Australian Institute of Company Directors – Roles and Responsibilities\(^{11}\) website.

**Board members**

Board members should be elected by the members and reflect the diversity of the community. Ideally, this means that your board should bring together individuals from a wide range of backgrounds, different experiences and expertise, may be culturally diverse and, ideally achieving gender balance.

This will provide your board with greater capacity to respond to the diverse needs and concerns of members and stakeholders, encouraging healthy debate and helping to ensure that a range of views are represented at board level.

> ‘A board needs to have the right group of people, having particular regard to each individual’s background, skills and experience, and how the addition of an individual builds the collective capability and effective functioning of the board.’

(AICD - Good Governance Principles for NFP Organisations)

Consideration might also be given to appointing independent members to your board, if your constitution allows for this.

For more information regarding board composition and the right mix of skills, knowledge and experience for your board, visit the Australian Institute of Company Directors – Board Composition\(^{12}\) website.

It is important for new Board and Committee members to know about the workings of the organisation and their responsibilities as a Board or Committee member. It is good practice to provide a structured, comprehensive and practical orientation to the activities, policies and structure of the organisation.

The Office for Recreation and Sport has developed comprehensive *Induction Essentials Packs* to assist organisations to induct new board or committee members.

**Size of the board**

Your constitution should specify a maximum or actual board size. However, if there is no prescribed size, it may be sensible for smaller organisations to start with a small board (e.g. four to five board members), which can grow as necessary. As a rule of thumb, a board should be small enough to have high quality and active discussions, but large enough to provide the skills and experience necessary for it to operate efficiently. Formation and use of Committees can activate operational aspects of the organisation.

Continual assessment and board renewal may assist your board in determining where any gaps in relation to skills and experience may exist. If and when these become apparent, it may be appropriate to make changes to the board.

**Chair**

The chair should be elected by the board. The chair is the chair of the board, not the chair of the organisation. In some clubs or associations, the president may also be the chair; however, it is the responsibility of your board as a whole to provide leadership to your club or association.

The chair should facilitate discussion among and provide leadership to the board. In addition, the chair may also serve as an interface between the board and the CEO (if applicable) or other management.

---


Board meetings

The board should hold regular meetings to monitor the performance of your club or association, formulate policy and discuss any matters brought to the board’s attention. These meetings should be well-attended by appropriate personnel (i.e. the board members and CEO, if applicable). Board meetings should primarily focus on the ‘big picture’ issues affecting the organisation such as strategic direction, policy making and review, progress towards goals and KPIs and the financial health of the organisation.

Ideally, the board should not concern itself with issues related to the day-to-day running of the club or association. These issues should be the concern of management or, where this is not possible, should be delegated to an appropriate sub-committee (see below).

The board should meet as often as is required to carry out its governance duties. Typically, this may be every month or every second month. Board meetings should take as long as is required to carry out the board’s governance responsibilities; however, most efficient and effective meetings run no longer than two hours.

For more information about running effective board meetings, refer to the Australian Institute of Company Directors – Board Effectiveness13 website.

Board papers

Board papers should be distributed at least one week prior to the scheduled board meeting so that directors have sufficient time to read them and consider any issues raised.

A typical set of board papers will consist of:

- A cover page with the date, place and time of the meeting
- An agenda
- The minutes of the previous meeting
- Major correspondence issued and received by the organisation
- The CEO’s report, if applicable (for sporting and recreation organisations, reports might be submitted by the chair of a committee for example)
- Financial reports
- Operational updates
- Documents supporting submissions that need decisions
- An action list.

In terms of best practice, it is also suggested that the agenda item is clearly referenced on each paper and that agenda items and papers should be marked as ‘For decision’ or ‘For information’.

Committees

A board may appoint committees to help manage its workload. Committees may focus on specific areas to allow the board to concentrate on broader and strategic ‘big picture’ issues and directions. The work of these committees should be strongly linked to the strategic direction of your organisation. Examples of committees a board may form include:

- Finance and audit
- Marketing
- Sponsorship or fundraising
- Special projects.

The board should approve the establishment of a committee, its terms of reference (outlining roles and responsibilities) and any delegation of authority provided to the committee.

The operations of a committee are dependent on the size and structure of the organisation. In most circumstances if an organisation has a management structure which consists of employees operational committees can report directly to management. If an organisation is run solely by volunteers the chair of the operational committee can report to the board. The minutes of all sub-committee meetings should also be circulated to members of the board.

Key Principles 2.3 in the Office for Recreation and Sport Governance Principles for SA State Sport Organisations advocates that the board should establish an audit committee (often referred to as the finance and audit committee) and that its role be set out by formal charter/ terms of reference:

- The existence of an audit committee is recognised as an important feature of good corporate governance.
- The committee should be structured with at least three people who are financially literate, and include at least one who has financial expertise (that is, a qualified accountant). The audit committee will comprise persons who are not directly involved in the management of the organisation; however, the chief executive officer and chief financial officer or equivalent to have standing invitations to attend meetings to provide clarification where necessary.

- The chair of the audit committee should be independent from the chair of the board;
- The audit committee should take prime responsibility for, but not be limited to:
  - Reviewing the organisation’s annual financial accounts and recommending them to the board for approval
  - Overseeing the relationship, appointment and work of external and internal auditors
  - Reviewing compliance-related matters
  - Overseeing the organisation’s risk management framework
  - Regularly reviewing the organisation’s ongoing financial accounts, systems and delegations.

**Conflicts of interest**

All board members should be independent, that is:

- They should not be employed by or have a significant business relationship with the organisation (e.g. a major supplier to the organisation)
- They should not hold any other material office within the organisation or hold a material conflict of interest as a result of being appointed to the board.
- It is recommended that they not be appointed to represent any constituent body (e.g. a particular team or affiliated club)

Board members and others holding official positions within your organisation must avoid actual or perceived conflicts of interest. This means that the organisation should be put ahead of any individual interests.

Any actual or perceived interests that may present a conflict should be declared and recorded in the minutes and, where it exists, a conflicts of interest register. If a conflict arises, the member should not vote on the matter and ideally should leave the meeting while the matter is being discussed. These actions aim to protect both the member and your organisation.
Key risks – knowing what they are and how they can be managed cont.

Key Documents

Constitution

A constitution is a written document that governs the objects of your organisation, its membership and how decisions will be made. Having a constitution is important because it ensures that members and stakeholders are clear about how things are done within the organisation. It can also be used as a point of reference to help resolve any problems or controversies that may arise.

A constitution should include the following sections:

- Interpretation — objects and powers
- Members — membership and meetings of members (general meetings)
- Defining who is eligible to vote at meetings
- The board — powers, other roles (chief executive officer and secretary)
- Meetings of the board
- Accounts
- Auditors
- Winding up.

Constitutions should be written in an unambiguous and succinct manner and should not include items that would better fit within a club’s or association’s by-laws or policies.

The Office for Recreation and Sport provides templates and more information regarding drafting your constitution.14

Position descriptions

Board member position descriptions support the board and individuals to minimise risks, conflicts and uncertainty around roles and responsibilities. Position descriptions help to ensure that key positions within the governance structure of the club or association are documented and well understood. Your organisation should have position descriptions for the following roles:

- Chair
- Board members
- Public officer15
- Chairs of sub-committees
- Chief executive officer (if applicable).

These position descriptions should clarify expected roles and responsibilities, required skills as well as how many hours per week the member would be expected to dedicate to the role. For more information about drafting position descriptions, refer to the Institute of Community Directors Australia website


Board charter and Committee terms of reference

Ideally, your organisation should have a documented charter or term of reference for the board and each a terms of reference for each of the board’s committees. These documents should set out the principles governing the board and each committee and their functions and responsibilities.

An example of a board charter can be found at the Institute of Community Directors Australia website


For an example of a terms of reference for a finance sub-committee visit the DIY Committee Guide – Terms of Reference16 website.

14 http://www.ors.sa.gov.au/sport_and_recreation/managing_your_club_or_association/resources_to_help_you_run_your_club
15 More information about this role can be found on the Consumer and Business Services website, www.cbs.sa.gov.au
16 http://www.diycommitteeguide.org/resource/terms-reference-finance-sub-committee
Maintaining meeting records

Your organisation is required to keep a record of all board meetings that are held. Meeting minutes should outline who attended the meeting, topics for discussion and decisions made. Maintaining accurate meeting minutes assists the board to ensure that they are upholding their duty to operate in a transparent fashion as well as meeting legal requirements. They also record how decisions within your organisation have been made.

It is the content, rather than the form, of the meeting minutes that is most important. However, a number of conventions for recording meeting minutes do exist.

Board meeting minutes are required to be kept securely. These meeting minutes are the domain of the board, they do not need to be released to the members. The board may decide to release an overview of decisions or discussions to notify members of actions of the board.

For more information regarding the format of meeting minutes, refer to the Governance Institute of Australia website.17

Tools to Assist with Monitoring and Oversight

**Note: Some of these tools are also discussed in other sections of the resource.**

**The degree of complexity and level of detail you assign to these tools will be in part driven by the size and complexity of your organisation**

Strategic planning framework

Setting the strategic direction of the organisation is the responsibility of the board, they may delegate some activities to the management, but the ultimate authority sits with the board. It is recommended that the process used to develop the strategic plan involves consultation with and input from stakeholders, members and affiliates and other interested parties. This is important to ensure strategies address the most pressing issues within a sport. Involving members and stakeholders in the process encourages ownership and investment in the achievement of the desired outcomes.

The board must be meaningfully involved in the strategic planning process and ensure that appropriate performance indicators are included in the plan for performance to be measured against.

Your board should regularly review the strategic priorities to ensure that your organisation maintains focus on these key priorities. You should also consult with members and other stakeholders throughout the strategic-planning process. This helps to ensure that future strategies address the most pressing issues for your club or association.

Reporting the progress towards and achievement of key milestones within the strategic plan to the members and other stakeholders can be a great way to demonstrate successes of the organisation.

For more information to assist you in developing your organisation’s strategic plan, refer to the Recreation and Sport Strategic Planning Guide.18

---


Key risks – knowing what they are and how they can be managed cont.

Policies

The board is responsible for endorsing high-level policy documents that establish your organisation’s framework for quality, safety, risk and operations. These should include occupational health and safety policies, which are now mandated by legislation. However, they can also include appropriate provisions for quality of service, financial processes and other legal risks. Within your organisation, there should be two levels of policy making: board-level policy and operational policy.

Board-level policy should include:

- Strategic policies defining the outcomes sought from all operational efforts
- Governing process policies defining the board’s own operating practices
- Board/chief executive (or management) relationship policies defining the nature of the board’s relationship with the CEO or other management (as applicable).

Example policy documents include:

- A board charter (explaining roles and responsibilities)
- Conflict of interest policy
- Code of ethics and proper practice policy
- Board professional development policy
- Induction of new board members policy.
- Operational limitations policies that define the limits of the CEO or other management’s freedom to act. For example, a policy relating to delegated authority of officers of the organisation.

Resources to assist you to develop some of these policies can be found on the Institute of Community Directors Australia – Policy Bank19 website.

Operational policies in the sport environment include those pertaining to Member Protection, Child Protection and Hot Weather. As sport operates in a federated system, it is recommended to ensure that policies are aligned to those of any body you are affiliated with.

For sport policies, visit the Office for Recreation and Sport website.

Risk register and risk management framework

Organisations should develop a risk management plan or establish a risk register that is appropriately and regularly reviewed which identifies risks, the likelihood of a risk, the controls to minimise the risks and who is responsible for oversight.

This should be in the context of a framework that sets out the processes by which risks will be managed, by whom and when reporting should be made to the board. Ideally these documents will categorise risks as either strategic or operational.

Refer to the section titled Risk Management Process for additional information.

Financial reporting

The directors of your organisation (i.e. members of the board) are ultimately responsible for the financial health of the organisation. As such, board members have a responsibility to ensure that they are informed of and understand the organisation’s finances. To achieve this, the board should receive timely and accurate financial statements that comprise:

- Profit and loss statements
- Balance sheets
- Cash-flow statements
- Budget versus actual reports on a monthly and year-to-date basis as well as identifying the full year budget
- Written reports regarding material variances from the budget
- Listings of all major outstanding debtors and creditors
- Bank reconciliations (including bank account evidence).

The board should also receive performance reporting against your organisation’s strategic objectives so that you can monitor this performance on an ongoing basis. It is critical that all directors understand and take their financial responsibility on the board seriously by ensuring they are able to comprehend and challenge the financial information presented to them by management.

A board should possess detailed knowledge of the financial health of its organisation, as it is illegal for an organisation to trade while insolvent and the directors could be held personally responsible. Not being aware of financial issues within your organisation is not an excuse. If, as a board member, you don’t receive adequate information or don’t understand the information you are given, make sure that you ask for clarification. Ultimately, it is your responsibility to ensure you are informed.

For more information regarding board members’ legal liabilities, refer to the Institute of Community Directors Australia website.


**Performance management**

As mentioned previously, one of the key aspects of good governance is adequate monitoring of performance. This should include financial and non-financial monitoring, the purpose of which is to ensure that your club or association is performing to the standards required.

It is essential that any performance indicators that may be established are clear and concise and can actually be measured. These indicators should also be aligned to your club’s or association’s strategic objectives (remember, ‘what gets measured gets done’) and comprise both lead and lag indicators. The board may receive monitoring information from a number of different sources, including:

- Internal reports, e.g. CEO reports (if applicable), sub-committee reports
- External reports, e.g. an external auditor or contractor
- The board’s own observations, investigations or evaluation.

In addition to measuring the performance of your club or association, it is the job of the board to undertake performance reviews of the CEO or other key senior management (as applicable) to evaluate their effectiveness. Criteria that you might use to evaluate the CEO or other management may include their achievements against KPIs, compliance with board directives and the proper use of delegated authority.

It is recommended that the board review its own performance on a yearly basis, at least. The purpose of this is to encourage self-review and continuous improvement. The outcome of the evaluation process is the basis for board and individual board member development goals leading to an improvement in board performance in time.

Practicing good governance and displaying the appropriate level of diligence in the way that your club or association manages its activities and affairs contributes to sound risk management.

---

21 A lagging indicator is one that is ‘output’ oriented and measures an event that has already happened, e.g. membership numbers. A leading indicator on the other hand is predictive and may drive the performance of the lagging indicator, e.g. membership satisfaction.

22 KPIs or Key Performance Indicators are quantifiable measures (i.e. objectively measurable) developed and agreed upon by the board and management that reflect the critical success factors of an organisation.
Governance – Summary of Key Requirements

The information within this resource provides you with an understanding of the key issues that you need to be aware of in order to ensure that your organisation effectively manages its resources for the benefit of members and stakeholders.

Listed below is a high-level summary of key requirements for small and large organisations:

• The majority of board members are elected by the members of the organisation (also refer to requirements as specified by your constitution).
• The organisation has an unambiguous constitution.
• The position of chair of the board is elected by the board or by the process specified by the constitution.
• The organisation holds regular board meetings.
• The board papers are distributed at least one week before the scheduled meeting date.
• The board is supported by a range of sub-committees (optional for smaller organisations)
• The governance structure maximises the ability of the board members to make independent decisions
• Board member position descriptions exist.
• Board meeting minutes are recorded and securely stored
• The organisation has documented strategic priorities, goals and performance measures.
• The board endorses all high-level policies of the organisation.
• The board has a risk register in place and regularly reviews and monitors those risks.
• The board has a detailed understanding of the organisation’s financial health.
• The board undertakes performance reviews of the CEO or other key paid management positions.
• The board reviews its own performance on an annual basis.

Governance - Useful Websites and Other Resources

For more information regarding governance, please refer to the following resources:

Governance
• Office for Recreation and Sport
• Australian Sports Commission (ASC)
• Australian Institute of Company Directors (AICD)
• ‘Good Governance Principles and Guidance for NFP Organisations’
• Department of Premier and Cabinet – Boards and Committees
• Governance Institute of Australia - Board Review
• Australian Institute of Company Directors - Financial and non-financial performance indicators

Templates
• Performance review templates

Policies
• Institute of Community Directors

Training and development
• Australian Institute of Company Directors (AICD)
• Volunteering SA and NT

Key risks – knowing what they are and how they can be managed cont.
Legal

Legal Terms, Key Concepts and Legislation

A basic guide to legal terms, concepts and new legislation.

The law comes from legislation (statutes and by-laws) created in federal and state parliaments and also from judges’ decisions in courts (the ‘common law’). The laws that apply, state or federal, depend upon the subject matter involved.

State legislation, for example, impacts fundraising and gaming practices, occupational health, safety and welfare and equal opportunity.

Federal legislation is responsible for such things as taxation and trade practices laws.

Overlapping state and federal legislation, such as employment law, govern some areas. In addition, there is a wealth of law contained in administrative regulations drawn up to assist the implementation of legislation.

The sport and recreation industry covers a wide range of organisations. The legal framework under which you operate will determine your legal obligations. For example, incorporated associations are less highly regulated than companies limited by guarantee.

In addition, requirements will vary across states and territories for organisations with the same legal structure. You will need to check the state and territory act (law) relevant to your organisation to determine your responsibilities. It will usually cover things such as constitutions, number of meetings per year, record keeping and auditing of accounts.

People involved in recreation and sport activities as administrators, volunteers or participants are unlikely to be aware of the full array of legislation and rules. Ignorance of the existence of a prohibition or regulation is usually not a defence. One of the crucial aspects of legislation is that when a provision is breached, a set penalty is incurred, which, unlike civil law, may involve a fine or a term of imprisonment. Legal issues are not always quickly resolved and can have far-reaching ramifications.

How do you find legislation? Most legislation is accessible on the Australasian Legal Information Institute23 website (if you know the name of the Act) or on the South Australian Legislation24 website.

To locate particular legislation in the statute books, you need to know the name of the act and the year it was passed.

Acts are often updated or repealed, changing parts of the legislation. Therefore, you need to ensure that what you are reading has been updated to include subsequent amendments.

---

23 http://www.austlii.edu.au/
Key Legal Concepts

Several key legal concepts are important in risk management. They can be complex and confusing because of the language used and how they affect each other. This section tries to provide a basic understanding of each concept.

Negligence

Negligence occurs when a person is harmed unintentionally by someone due to carelessness. It is the failure to use reasonable care and skill in a given situation. In order for a negligence claim to be successful, four things need to be established:

1. A duty to take reasonable care was owed to the injured person.
2. There was a breach of that duty of care.
3. Injury or other damage was sustained.
4. There was a reasonable causal connection between the breach of duty of care and the injury or damage sustained.

These four factors must be satisfied to establish that a person was negligent. Courts will consider the gravity of the risk of injury or damage, the likelihood of it occurring and the costs involved in avoiding that injury or damage. The courts may award compensation (‘damages’) arising out of a suit alleging negligence.

What is duty of care?

There is a general expectation that everyone is responsible for taking reasonable care not to harm others. In law this is known as the ‘duty of care’. This concept is based on the idea of looking after your neighbour. In law, you owe a duty of care to a person only if you can reasonably foresee that your conduct may be likely to cause loss or damage to that person or a class of persons to which the injured person belongs.

Namely, there needs to be a reasonably close connection between the conduct giving rise to the breach of duty and the injury or damage caused. If you are responsible for making decisions or taking action that ensures other people are not harmed, you owe a duty of care to those individuals.

To determine the scope of the duty of care and whether there has been a breach of that duty, the following factors are considered:

- **Foreseeability** - This refers to the possibility of harm occurring that is reasonably foreseeable and not too remote. Could a person reasonably foresee that there is a real risk that someone could be harmed? For example, it is reasonably foreseeable that if a coach takes players on a run in 40-degree heat that there is a risk of dehydration. Some risks may still be reasonably foreseeable even if they are extremely unlikely or rare (like being bitten by a shark while surfing).

- **Proximity** - This concept relates to the nature of the relationship between the person who owes a duty of care and the person to whom they owe that duty. There must be a sufficient relationship of closeness (referred to as ‘proximity’) between the two people in order for a duty of care to exist. The degree of proximity can vary considerably depending on the circumstances. For example, a lifeguard would have greater proximity when on duty than when off duty.

- **Standard of care** - In order to determine whether a duty of care has been breached, the standard of care that is expected in the circumstances will be assessed. Where a person has acted in an unreasonable way or their actions fell below the standard of care expected, they will have breached their duty of care.

The standard of care required is based on what a reasonable person would have done (or not done) in similar circumstances. It will also vary according to the person involved. For instance, the duty of care owed by someone such as a coach would be based on what a reasonable coach, with similar experience, would do in similar circumstances.
The standard of care required would also be higher for someone who is less able to look after themselves (less skilled, unfit, injured, children, etc.). Industry standards and organisation documents such as codes of practice and/or behaviour may all be used to determine the standard of care required.

• **Voluntary assumption of risk** - The main defence to a negligence claim as a result of sport and recreation activities is ‘volenti non fit injuria’ or the voluntary assumption of risk. The duty of care that is owed can be completely removed if the harmed person had full knowledge of the risk of injury to themselves and had voluntarily assumed the risk of the actual act that caused the harm.

For example, if an ice hockey player had voluntarily and completely assumed the risk of physical harm within the rules of the game, he or she cannot complain when injured while playing that game.

• **Contributory negligence** - Harmed persons who have compounded the harm by failing to exercise reasonable care for themselves may have contributed to some of the loss suffered. As a result, any damages will be reduced in proportion to the extent to which their actions contributed. Say a mountain bike rider is injured after colliding with another rider during a race. The rider had a blood alcohol of more than 0.15, which would have impaired his ability to judge speed and distance and, as a result, the collision occurred. His ability to claim damages against the race organisers could be reduced considerably.

• **Vicarious liability** - In some circumstances an organisation may be liable for the conduct of others. For example, an organisation may be directly responsible for the conduct of its officials or employees. A club can be held responsible for liability arising out of a coach’s instructions or behaviour.

---

**Exemption clauses and waivers**

No waiver or exemption clause is a fool-proof way to avoid litigation. Obviously, preventing injury in the first place is preferable, but a carefully worded waiver that is distributed and explained to all affected can strengthen your defence in the event of a claim. In some circumstances, the Australian Consumer Law (Schedule 2 of the *Competition and Consumer Act 2010* (Cth)) prohibits the exclusion of some terms, which it includes in all consumer contracts for consumer protection. Seek legal advice to make sure you get the wording right and that you meet the technical requirements to ensure the document can be enforceable.

You need to be able to convince someone else, somewhere else, at some other time that the person that undertook the activity actually understood the risks involved. For example, in Formula One racing they video the reading and signing of the waiver with the drivers. These waivers are very specific and detailed and they outline all possible risks. In the sport and recreation industry, it is important not to opt for a brief, generic waiver.

Recreation service providers, like other service providers, are subject to the implied warranties under the Australian Consumer Law that services will be provided with due care of skill and are reasonably fit for purpose. The *Recreational Services (Limitation of Liability) Act 2002* (SA), which allowed recreational service providers to limit their liability in relation to personal injury by registering and subscribing to a safety code, was repealed on 1 January 2011. Both the *Competition and Consumer Act 2010* (Cth) and the *Fair Trading Act 1987* (SA) allow recreation service providers to exclude, restrict or modify the implied warranties under the Australian Consumer Law in order to limit their liability for personal injury suffered by consumers. However, recreational service providers will not be able to limit their liability in circumstances where their conduct was reckless.

Waivers can still be used by recreational service providers to limit liability for property damage and other things that are not directly related to participation in the recreational or sport activity. For example, a waiver is appropriate for property loss and travel to an event that has been arranged by the club or association.
Key risks – knowing what they are and how they can be managed cont.

The Consumer and Business Services website\(^{25}\) provides detail about limiting your liability, together with the necessary actions for an effective waiver, including the requirement for the consumer to complete the form (i.e. sign and date).

An additional example includes the paragraphs contained in the terms and conditions\(^{26}\) of the popular City to Bay Fun Run. Participants are required to sign a form to demonstrate that they agree and abide by the terms and conditions of the competition, thus acting as a waiver of liability for the organiser and event sponsors.

It is important to remember that while a good release or waiver has value for defence from civil action in the event of a claim, you should never rely on it in lieu of other measures and risk management procedures.

Legal status and corporate liability

Incorporation gives a club or organisation legal status, which means that the club or organisation is able to sue and be sued in its own name. Once incorporated, it will be the club itself that will have to satisfy any claim or liability so long as the members have acted properly and within their authority.

‘Officers’ – committee members, secretaries, treasurers, public officers and managerial employees – of incorporated bodies are now faced with similar responsibilities to directors and other officers of corporations governed by the due care and diligence sections of the Corporations Act 2001 (Cth) even if they are voluntary and unpaid officers.

For a fact sheet on incorporation visit the Office for Volunteers\(^{27}\) website.

The sheet highlights some of the advantages of being incorporated and some of the responsibilities of an incorporated association.

Due diligence

To limit liability, directors and officers of an organisation need to demonstrate that they took the necessary steps to prevent a reasonably foreseeable loss or injury from occurring. The concept of due diligence comes from company law.

Essentially, due diligence means that a director or officer of an organisation should:

- Act in good faith and for a proper purpose
- Not have a material interest
- Reasonably inform themselves
- Consider their decision in light of the best interests of the organisation.

Natural justice

Players or participants of a club or organisation who have broken the rules need to be dealt with appropriately.

To ensure that legal matters do not arise, the accused person needs to be treated fairly. To do this, the principles of natural justice need to be followed. These principles include:

- The right of the accused person to know the charges and to be given reasonable time to consider them
- The right to be heard in one’s defence before an independent (that is, not biased or prejudiced) body.

A denial of natural justice to a member by any club or society, no matter how small or large, sophisticated or unsophisticated, may lead to an application to the courts for remedies and costs.

---

Key legislation and regulations

**Good Samaritans**

Under the *Civil Liability Act 1936* (SA) (as amended), an individual who provides assistance, advice or care to another person in an emergency, where there is no expectation of payment by money or other means, will not be able to be sued for any injury or harm he/she causes if acting in good faith without recklessness (provided the good Samaritan’s ability was not significantly impaired by alcohol or drugs).

**Volunteer protection**

Many sport and recreation organisations rely heavily on volunteers to keep their operations viable. The *Volunteers Protection Act 2001* (SA) was introduced in South Australia to protect volunteers from being personally liable to pay compensation for negligent actions arising out of authorised activities of the volunteer, which may have unintentionally caused personal injury, property damage or financial loss. The Act is designed to limit personal liability of volunteers, except for liability for defamation or if the volunteer was impaired by recreational drug use or if the volunteer was acting outside the scope of the authorised activities or contrary to instructions.

While the Act benefits volunteers, it subjects the organisations to the risks of liability for the acts of the volunteer. Organisations will need to make sure that volunteer roles and responsibilities are clearly defined and that those acting in these roles have the required training and experience to fulfil their duties.

**Privacy**

While organisations with a turnover of $3 million or less are exempt under the Privacy Act, this exemption does not apply if you disclose the personal information of your members to a state or national body in return for a benefit or service from that organisation or sponsor. This means that the vast majority of sport and recreation organisations will need to comply with the Privacy Act.

---

**What’s changed?**

The Privacy Amendment (Enhancing Privacy Protection) Act 2012 commenced on 12 March 2014 and resulted in many significant changes to the Privacy Act 1988. The Privacy Regulation 2013, made under the Privacy Act, also commenced on that date. The Act now includes 13 privacy principles that replaced the Information Privacy Principles (IPPs) and the National Privacy Principles (NPPs). These principles regulate the handling of personal information.

A summary of each Australian Privacy Principle (APP) is provided below:

**APP 1 — Open and transparent management of personal information**
Ensures that APP entities manage personal information in an open and transparent way. This includes having a clearly expressed and up-to-date APP privacy policy.

**APP 2 — Anonymity and pseudonymity**
Requires APP entities to give individuals the option of not identifying themselves or of using a pseudonym. Limited exceptions apply.

**APP 3 — Collection of solicited personal information**
Outlines when an APP entity can collect personal information that is solicited. It applies higher standards to the collection of ‘sensitive’ information.

**APP 4 — Dealing with unsolicited personal information**
Outlines how APP entities must deal with unsolicited personal information.

**APP 5 — Notification of the collection of personal information**
Outlines when and in what circumstances an APP entity that collects personal information must notify an individual of certain matters.

**APP 6 — Use or disclosure of personal information**
Outlines the circumstances in which an APP entity may use or disclose personal information that it holds.

---

APP 7 — Direct marketing
An organisation may only use or disclose personal information for direct marketing purposes if certain conditions are met.

APP 8 — Cross-border disclosure of personal information
Outlines the steps an APP entity must take to protect personal information before it is disclosed overseas.

APP 9 — Adoption, use or disclosure of government-related identifiers
Outlines the limited circumstances when an organisation may adopt a government-related identifier of an individual as its own identifier or use or disclose a government-related identifier of an individual.

APP 10 — Quality of personal information
An APP entity must take reasonable steps to ensure the personal information it collects is accurate, up to date and complete. An entity must also take reasonable steps to ensure the personal information it uses or discloses is accurate, up to date, complete and relevant, having regard to the purpose of the use or disclosure.

APP 11 — Security of personal information
An APP entity must take reasonable steps to protect personal information it holds from misuse, interference and loss and from unauthorised access, modification or disclosure. An entity has obligations to destroy or de-identify personal information in certain circumstances.

APP 12 — Access to personal information
Outlines an APP entity's obligations when an individual requests to be given access to personal information held about them by the entity. This includes a requirement to provide access unless a specific exception applies.

APP 13 — Correction of personal information
Outlines an APP entity's obligations in relation to correcting the personal information it holds about individuals.

Responding to the privacy legislation and recent changes
- Become familiar with the APPs and the requirements of the Act. For further information, refer to the Office of the Australian Information Commissioner (OAIC).29
- Review the way you collect, hold, use and disclose personal information and make the appropriate changes to ensure you meet the APPs.
- As a priority, ensure you develop a privacy policy as part of your overall risk management strategy.

As a matter of good practice, regardless of whether or not the new provisions apply to your organisation, consider reviewing the checklist30 compiled by the OAIC to help understand the main changes that need to be made by organisations.

Discrimination and harassment
In recent times, there have been a number of high-profile cases of individuals and organisations in the courts for breaches of anti-discrimination laws. Discrimination is covered by both state and federal legislation.

The Equal Opportunity Act 1984 (SA) (proclaimed in March of 1986) consolidated all of the anti-discrimination legislation that applied to that date in South Australia.

This Act deals with a range of discriminations (race, age, gender, marital status, sexuality, pregnancy and physical or intellectual impairment), disability (includes 'disease-causing organisms present in the body') in employment (including contracts and partnerships), education, provision of goods and services, accommodation, clubs and associations, advertising, conferral of qualifications, and disposal of land.

29 From 1 January 2015, the OAIC will no longer exist as a unified organisation. Its functions will be redistributed among four other government agencies. http://www.oaic.gov.au/privacy/about-privacy
Discrimination is really treating someone less favourably because of one or more of the characteristics previously mentioned. Everyone has choices about how they treat other people. Those choices can be made using real and relevant information or they can be based on prejudice, stereotypes, misinformation and bias.

The Act provides for general exemptions where the exclusion of a person may be lawful in a competitive sporting activity (i.e. where the strength, stamina or physique of the competitor is relevant to the outcome of the competition). Those exemptions arise in limited circumstances as outlined in the Act.

Some discrimination is unlawful (for example, sexual harassment and racial discrimination) and some is not (for example, coaches who show favouritism towards their children over other players). Discrimination and harassment is a critical issue for everyone involved in sport and recreation and it can be a complex area.

For example, one sporting organisation ended up in court after refusing to allow a pregnant athlete to play her sport. This is a difficult issue, especially when you consider the balance between the duty of care owed to the player and the unborn child and the probability of breaching discrimination laws. The Australian Sports Commission has issued guidelines that provide some advice on how to handle such a situation.

The following case study is taken from the Play by the Rules website:

**Strength/Stamina/Physique Argument Rejected:**

*Emily South v Royal Victorian Bowls Association (RVBA) (2001)*

Ms Emily South, a 19-year-old keen bowler, had been a member of the St Kilda Bowling Club for about seven years. The club was an affiliated member of the Royal Victorian Bowls Association (RVBA).

The RVBA conducts a Metropolitan Pennant Bowls Competition on Saturday afternoons. Ms South wanted to play on Saturday afternoons because she was unable to play in the Women’s Pennant Competition, which was a mid-week competition that clashed with her school and university commitments.

She wished to play at the highest level and her club considered her capable of competing in the Saturday afternoon RVBA competition. Only clubs affiliated with the RVBA with members affiliated to the RVBA are eligible to compete in their Saturday pennant competitions. RVBA rules stated that only male members of affiliated clubs could then affiliate as individuals with the association.

The request to register Ms South as an affiliated member was refused by the RVBA.

Ms South lodged a complaint of Sex Discrimination with the Victorian Equal Opportunity Commission.

The RVBA argued that strength, stamina and physique are involved in the playing of bowls. In particular, the drive shot, which is produced by the application of strength, is an important tactical shot that may decide the outcome of the game. Evidence was presented that men employ the drive shot more frequently than women.

However, the Tribunal found that strength, stamina and physique were not significant in bowls and that discrimination had occurred. It ordered the RVBA to amend its rules so that it did not prohibit women from registering as affiliated members and competing in the Saturday pennant bowls competition.

For further examples of court and tribunal decisions and conciliated complaints, visit the Play by the Rules website.

---

2. http://www.playbytherules.net.au
Harassment

Harassment covers a wide range of behaviour’s of an offensive nature. It is commonly understood as behaviour intended to disturb or upset and it is characteristically repetitive. In the legal sense, it is intentional behaviour that is found threatening or disturbing.

The following are some examples of unfair and possibly unlawful discrimination:

- **Sex Discrimination** - Prizes of different value are given for male and female competition in the same club.
- **Racial Discrimination** - An Aboriginal player is overlooked for team selection due to his race.
- **Age Discrimination** - A club refuses to clear players to other teams if they are younger than 21.
- **Marital Status Discrimination** - A player is deliberately excluded from team activities and social functions after she divorces her husband who is a club official.
- **Pregnancy Discrimination** - A woman is dropped from her softball team when she reveals she is pregnant.
- **Sexuality Discrimination** - A footballer is ridiculed by his teammates after his homosexuality is disclosed.
- **Impairment or Disability Discrimination** - A junior player is overlooked because of her mild epilepsy.
- **Sexual Harassment** - A male tennis coach keeps putting his hand on a woman’s bottom during coaching sessions, making her feel very uncomfortable.
- **Victimisation** - A player is ostracised by her coach for complaining about his racist behaviour to another club official.

These examples are taken from the Play by the Rules website, which is supported by the Australian Sports Commission, Australian Human Rights, State and Territory Equal Opportunity and Departments for Recreation and Sport.

The Play by the Rules website combines information about legislation, frequently asked questions about discrimination and sport, as well as training and resources to support safe, fair and inclusive sport environments.

**Children’s Protection Act**

People who have a suspicion on reasonable grounds that a child has been or is at risk of being abused or neglected are mandated by the *Children’s Protection Act 1993 (SA)* to report it to the Child Abuse Report Line (13 14 78) or to the SA Police, where the suspicion is formed in the course of the person’s work or in carrying out official duties.

Recreation and sport organisations are required to have strategies in place to prevent and minimise opportunities for abuse and to respond when it occurs or is suspected. All staff and volunteers who hold a management position or work in a prescribed position for an organisation providing sporting or recreational services wholly or partly for children are mandated to report their suspicions.

The Act also requires:

- The development of policies and procedures to establish and maintain child safe environments
- All paid or volunteer persons holding a prescribed position are required to have a relevant history assessment completed before they are engaged or appointed unless an exemption applies
- Organisations to lodge, or have lodged on their behalf by a governing body, a Child Safe Environment Compliance Statement with the Department for Education and Child Development (DECD).

Refer to the section titled *Member and Child Protection* for more information and strategies.
Key risks – knowing what they are and how they can be managed cont.

Work Health and Safety (WHS)

Everyone has a right to be safe at work. This includes paid and volunteer workers who contribute in diverse ways to organisations. New WHS laws, which came into effect in South Australia from 1 January 2013, may mean the responsibilities and duties of your organisation have changed.

Information in this section is not intended to be read in place of the WHS laws and should be used in conjunction with South Australia’s Work Health and Safety Act (2012) and the approved WHS codes and practices. The following information is a summary of key points identified in the Safe Work Australia publication Essential Guide to Work Health and Safety for Organisations that Engage Volunteers33 and Australian Sports Commission’s Sporting clubs guide to a safe workplace34. Some minor modifications have been made.

Each publication is a useful starting point for your organisation to gain an understanding of its work health and safety duties and responsibilities.

For more information on the duties for volunteers and volunteer organisations under the WHS laws, you can also contact South Australia’s work health and safety regulator, SafeWork.SA35, by phoning the Help Centre 1300 365 255 or visiting their website.

Organisations and their duties

New WHS laws require that a person conducting a business or undertaking (PCBU) must ensure, so far as is reasonably practicable, the physical and mental health and safety of its workers, including volunteers.

A PCBU does not include a ‘volunteer association’. The definition of a volunteer association for the purposes of the WHS Act is a group of volunteers working together for one or more community purposes that has no employees. A group of volunteers that employs any person to carry out work for the association is not a volunteer association, but rather a PCBU. The new WHS laws require most organisations to meet specific duties but volunteer associations – organisations that do not have any paid staff – do not have those duties.

Examples

- Mary is appointed secretary of the local sporting club. The club was established and incorporated in 1962 and is operated by paid employees and volunteers. The club employs someone to manage the club’s accounts and another to manage the office on a part-time basis. As the club employs people, it has duties as a PCBU under the WHS Act. It also means that Mary has duties as a worker and officer under the WHS Act.

- John is elected secretary of the local sporting club. The club was established in 1962 and is operated by a group of volunteers. The club’s committee meets each month. Occasionally the club pays a handyman to maintain its clubrooms. The handyman isn’t employed by any members of the club. As the group of volunteers does not employ others to operate their club and they all work together for a community purpose, they are classified as a volunteer association. This means John and the sporting club do not have any duties under the WHS Act.

What your organisation (as a PCBU) needs to do

If the WHS laws apply to your organisation (i.e. your organisation meets the PCBU criteria), it must ensure, so far as is reasonably practicable, the health and safety of all of its workers, including volunteers. This means that the organisation must provide the same protections to its volunteer workers as it does to its paid workers. The protection covers the physical safety and mental health of all workers, including volunteers.

This primary duty of an organisation is qualified by ‘so far as is reasonably practicable’. This means the organisation does not have to guarantee that no harm will occur, but it must do what can reasonably be done to ensure health and safety.

Other factors that will be taken into account in determining what the organisation is required to do to protect its workers, including volunteers, are:

- The type of business or undertaking.
- The type of work that the organisation performs.
- The nature of the risks associated with that work and the likelihood of injury or illness occurring.
- What can be done to eliminate or minimise those risks.
- The location or environment where the work is carried out.

The primary duty of a PCBU organisation includes ensuring, so far as is reasonably practicable:

- The provision and maintenance of a work environment without risks to health and safety.
- The provision and maintenance of safe plant and structures and safe systems of work.
- The safe use, handling and storage of plant, structures and substances.
- The provision of adequate facilities to support the welfare of workers at work, including volunteers (for example toilets and first aid facilities).
- The provision of information, training and instruction or supervision that is necessary to protect all persons from risks to their health and safety arising from their work.
- Monitoring the health of workers and conditions at the workplace to prevent illness or injury of workers.

Key risk – knowing what they are and how they can be managed cont.
PCBU organisations that have work health and safety obligations will need to be quite thorough and establish a comprehensive work health and safety framework that:

- manages health and safety risks
- provides information, training and instruction to workers and volunteers
- communicates effectively and consults with its workers and volunteers, keeping them informed and involved in decisions that may affect their health and safety
- considers appointing health and safety representative(s)
- implements a policy or procedure for the reporting of incidents.

Your organisation is legally obliged to advise SafeWork SA immediately after becoming aware that a notifiable incident has occurred as a result of the conduct of the organisation.

Guidance on these essential elements of a WHS framework is provided in each of the publications referenced at the beginning of this section.

---

**Obligations of the volunteers in your organisation**

Your organisation’s volunteers must take reasonable care for their own health and safety and ensure that their actions do not adversely affect others. They must also comply with any reasonable instructions, policies and procedures relevant to health and safety issued by their organisation as a PCBU or volunteer association.

Basically, what is reasonable care and what is expected of workers is what a reasonable person would do in circumstances, having regards to things such as:

- their knowledge
- their role
- their skills
- the resources available to them
- their qualifications
- the information that they have
- the consequences to health and safety of a failure to act in the circumstances.

---

36 A notifiable incident is a serious incident that relates to the work the organisation carries out and involves:

- the death of a person
- the serious injury or illness of a person
- a dangerous incident.

Serious injury or illness and dangerous incidents are further defined in the Act.
Liquor licensing

If your organisation wants to sell alcohol on their premises, it must apply for a liquor licence and comply with the legal requirements and licence conditions. The licence controls the way alcohol is sold and distributed to members and their guests.

The relevant Act is the Liquor Licensing Act 1997 (SA) and the purpose of the Act is to regulate and control the sale, supply and consumption of liquor. Particular emphasis is placed on encouraging responsible attitudes towards the promotion and advertising of liquor and minimising the harm associated with liquor consumption. It is also a condition of every licence that the licensee complies with the Commissioner’s codes of practice. Failure to comply with a provision in the General Code of Practice will be a breach of licence condition. There are many licences under the Act. Your organisation will need to determine what type of licence it requires.

For example, clubs that intend to sell liquor for consumption on or off the premises may require a club licence or a limited club licence. A club licence may only be held by a club that is either a non-profit association incorporated under the Associations Incorporation Act 1985 or a company limited by guarantee under the Corporations Act 2001 of the Commonwealth.

A club licence permits the sale and supply of liquor on licensed premises to any member of the public who is not a minor. This type of licence does not allow the sale of take-away liquor unless special approval has been granted. A limited club licence permits the sale and supply of liquor on licensed premises to club members or guests of members only. A member of the club will not be permitted to have more than five guests on the club premises at any time. This type of licence does not permit the sale of take-away liquor.

A further condition of a limited club licence is that the club will keep the Commissioner informed of any changes to the composition of the committee of management of the club and will provide the information required by the Commissioner (in the form required by the Commissioner) about the members of the committee of management.

If your organisation is a holder of a limited club licence and wishes to hire out the club’s premises, it can do so under a limited licence for members who wish to hold a function and invite more than the five guests per member or non-members who are looking for a venue to hold a function. The supply of liquor during the function can be provided by the club or by the person holding the function. In either situation there are certain requirements to be met by the club.
Key risks – knowing what they are and how they can be managed cont.

**Key point:** If your organisation already has a liquor licence, you should, as part of your risk management strategy:

- **Review the recent amendments to the Act that took effect in November 2013, December 2013 and January 2014 and understand the impact that these amendments may have on your organisation.** The amendments include:
  - **A new object in the Act to ensure that the sale and supply of liquor occurs in such a manner as to minimise the risk of intoxication and associated violence or anti-social behaviour (including property damage and causing personal injury).** This amendment specifically addresses alcohol-related violence and property damage.
  - **Amendments to section 11A of the Act, which remove any doubt about the validity of the Late Night Trading Code of Practice.** These amendments provide that the Liquor and Gambling Commissioner (the Commissioner) may include in a code of practice, measures that can reasonably be considered appropriate and adapted to the furtherance of the objects of the Act.
  - **An increase in the expiation fee for offensive and disorderly conduct in licensed premises or in the vicinity of licensed premises from $160 to $500.**
  - **An amendment to the definition of ‘entertainment’, removing the reference to television screens.** Licensees will no longer have to obtain entertainment consent under section 105 of the Act for television screens (whatever the size).
  - **Inclusion in the Act of a definition of intoxication, covering behaviour as a result of the consumption of liquor or some other substance.**
  - **Licensees and staff are no longer required to consider whether the intoxicated behaviour of a patron arises from liquor or some other drug.** It is not necessary to establish one or the other.
  - **The requirement for licensees to ensure that the notice to minors (minimum age) is displayed in a prominent position in each area of the licensed premises, as per the approved plan, to which access is permitted to minors by the licensee.**

- **Periodically review your organisation’s licence.** If specific conditions have been imposed on the licence, ensure that your organisation can demonstrate that these conditions are being complied with.

For further assistance, you may wish to refer to the website of the Good Sports program of the Australian Drug Foundation.

This program has been established to assist clubs and volunteers with alcohol management.
Disclaimer

The comments on legal liability and recent legislative changes in this section of the resource and throughout the document do not purport to be a complete and accurate description of the law on these topics.

The State Government of South Australia (Office for Recreation and Sport) and its servants and agents are not by these comments providing legal advice to any person, company or organisation and make no warranties with respect thereto and to the maximum extent permitted by law disclaim all liability and responsibility for any direct or indirect loss, damage or liability that may be suffered or incurred by any person, company or organisation as a consequence of, or in reliance upon, anything contained in, implied by or admitted in this document.

Financial

Financial risk is the risk to an organisation’s cash flow. Often, financial risks are not managed effectively.

Good financial management is essential for your organisation’s survival and is an important part of financial risk management and good governance. It involves:

- being provided with and reviewing financial information on a regular basis
- effectively managing the funds of the organisation
- implementing sound financial practices and policies
- understanding the organisation’s financial position and obligations.

Good financial management and the ability to demonstrate that this is occurring is essential if your organisation is seeking additional external funding or capital assistance.

Often organisations will appoint a financial director/treasurer with accounting experience to assume this responsibility. He or she will generally be involved in day-to-day transactions or maintaining the accounts.

Notwithstanding this appointment, all board members should have an understanding of their organisation’s accounts and financial reports, as they are responsible in the eyes of the law.

If board members do not have this financial literacy, there are several courses that can be undertaken to assist with understanding the key responsibilities. Refer to the section titled Financial Management – Useful Websites and Other Resources.

Financial responsibilities

Each organisation will have specific legal obligations in relation to their financial management and an ethical responsibility to their members in respect to managing their organisation’s funds.

Corporate governance issues also need to be taken into consideration when administering an organisation’s finances. It is important that all officers of your organisation (president, club director, board member, treasurer, etc.) understand their responsibilities in this area, particularly if they are a director of the organisation in the eyes of the law.

Listed below is a summary of the key issues. For further information, it is recommended that you talk to your state sport and recreation organisation or other national sporting body and/or obtain professional advice if any aspect requires clarification or further consideration.
Key issues - duties and requirements

A. Legal responsibilities of directors regarding financial management

The legal duties of directors will vary depending on whether an organisation is incorporated pursuant to the Corporations Act or in accordance with South Australia’s Association Act.

Directors of all organisations have legal duties and responsibilities, which require that they act:

- competently
- honestly
- in good faith
- in what they consider to be the best interests of the organisation.

Common law principles that directors should follow include:

- monitoring the management and performance of the organisation
- understanding the basics of the organisation’s business, services offered and objectives
- maintaining their knowledge of the organisation’s direction and activities
- assessing the appropriateness of management’s (if applicable) business practices
- monitoring the organisation’s policies
- being conversant with the organisation’s financial status by regularly reviewing financial statements and other financial reports prepared internally and externally
- enquiring into matters where necessary.

B. Corporate governance requirements regarding financial management

Directors are also required to understand the financial needs of their organisation in relation to statutory and common-law requirements and corporate-governance issues.

In order to understand and identify the responsibilities involved in your organisation’s financial management, it is recommended that each director read through the following financial management checklist.

This checklist should be reviewed at least annually but it can be used more often according to the needs of your organisation. For example, when:

- a new director or treasurer is appointed
- in preparation for the annual general meeting
- following the organisation’s annual general meeting, as new directors may have been appointed.
Key risks – knowing what they are and how they can be managed cont.

**Financial management**

<table>
<thead>
<tr>
<th>Checklist of requirements</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Treasurer or management provides up-to-date financial reports on a regular basis.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The financial reports provide adequate information needed for financial decision-making by the board.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The organisation prepares an annual budget and a revised annual estimate (actual Year to Date and YTD &amp; Forecast).</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The treasurer reports the financial position of the organisation against budgets and estimates.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The board monitors budgetary performance.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The organisation has appropriate insurance and the board deliberates the insurance renewal process on an annual basis.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>There are financial policies and procedures in place to guide officers of the organisation (treasurer/general members).</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The board understands and authorises the policies for monitoring cash, purchasing and major contracts, etc.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The board understands that the process of internal control and segregation of duties (i.e. each step in financial handling - receipt, recording, banking, reporting) is not completed by one person.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The organisation has an appointed independent auditor.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

If your organisation has answered ‘no’ to any of these requirements, it is recommended that you either implement the practice or, if the board has elected not to follow these requirements, ensure that you are not in breach of any legislative or compliance requirements. It may also be useful for the board to minute its rationale for departing from a partial item on the checklist.
C. Legislative requirements

If your organisation is incorporated under the Associations Incorporation Act (SA) 1985 or under the Corporations Law, there are specific legal obligations in relation to financial responsibilities that are also relevant to your organisation’s operations.

Accounting records

All organisations must take reasonable steps to keep accounting records that record and explain the transactions and financial position of the organisation. An organisation and any officer of the organisation who fails to do this can each be fined.

Additionally, under the Act, organisations should keep a receipt book, a deposit book, correctly filled in cheque butts, bank statements and a general ledger. The records must be kept at the organisation's office or in the custody of an officer of the organisation, whichever the rules or a resolution of the board allow.

Lodgement of financial accounts

Only prescribed organisations are required to submit an annual audited financial statement to the Office of Consumer and Business Affairs. Prescribed organisations are defined in the Associations Incorporation Act (SA) 1985 (Section 35) and, in general, they are organisations with gross receipts of more than $500,000 per annum.

Examples of gross receipts include:
- government funding
- membership fees
- donations
- fundraising income.

Legislative requirements checklist (Associations Incorporation Act and Corporations Act)

The following tables provide a checklist of some of the key financial reporting obligations under the Associations Incorporation Act\(^2\) and requirements under the Corporations Act 2001.

It is recommended that your organisation identify which Acts are applicable, retain copies within the organisation for reference purposes and build on the checklists below to ensure all financial responsibilities are understood and assigned to a board member.

Use the checklists below to help you understand the main requirements. These checklists are not intended to be a comprehensive list of your organisation’s requirements and are not a substitute for an organisation determining its full obligations under each of the Acts.

\(^2\) Note: The Associations Incorporations Act is currently under review, and therefore these requirements may change.
Key risks – knowing what they are and how they can be managed *cont.*

**Associations Incorporation Act (SA) 1985**

<table>
<thead>
<tr>
<th>Checklist of requirements for prescribed organisations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Must maintain financial records - Section 35 and 39C.</td>
</tr>
<tr>
<td>Accounts must be lodged with the Corporate Affairs Commission.</td>
</tr>
<tr>
<td>The accounts must fairly present the results of the operations of the association and its financial position (Section 35).</td>
</tr>
<tr>
<td>Audit of annual accounts - by a registered company auditor or a member of CPA Australia, ICAA, or IPA or a person the Commissioner considers to have appropriate qualifications.</td>
</tr>
<tr>
<td>Accounts to be presented to members.</td>
</tr>
</tbody>
</table>

**Corporations Act 2001 – incorporated associations**

<table>
<thead>
<tr>
<th>Checklist of requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Must maintain financial records - Section 286.</td>
</tr>
<tr>
<td>Lodgement of accounts with ASIC — Section 319(1).</td>
</tr>
<tr>
<td>Must lodge a directors’ report and declaration, balance sheet, profit and loss statement, cash flow statement, statement of changes in equity and the notes to the financial statements.</td>
</tr>
<tr>
<td>Accounts to be presented to members. Must be distributed to members no more than 21 days before the AGM or four months after the end of the financial year (Section 315).</td>
</tr>
<tr>
<td>Audit requirements are dependent on the level of annual revenue.</td>
</tr>
<tr>
<td>Annual revenue &lt; $250,000 – no audit or review requirements unless required by ASIC.</td>
</tr>
<tr>
<td>Annual revenue &lt; $1,000,000 – can elect to have a review rather than audit. A CPA, ICAA or IPA must conduct the review.</td>
</tr>
<tr>
<td>Annual revenue &gt; $1,000,000 – audit must be completed by a registered company auditor.</td>
</tr>
</tbody>
</table>

**Key Financial Policies**

Financial management is not only about understanding the financial information in your organisation and using this information to improve organisational operations, it is also about ensuring that the right policies and procedures are in place to ensure:

- the financial information you are using is accurate, complete, up to date and reliable
- the safe guarding of the club’s financial assets (cash, investments, etc.)
- that investments by the organisation are protected
- the review and reliability of the financial information will lead to the correct decisions.

For complete financial management of your organisation, you need to consider implementing good financial controls to detect and prevent errors, theft or fraud.
Explicit policies and procedures set out the required approach, responsibilities and processes for club officers and members to properly administer the financial matters of the organisation in accordance with its wishes and consistent with statutory requirements and sound financial management practices.

If your organisation has an audit and finance committee, it may be worthwhile to ensure that it has recently reviewed the range of policies and procedures that your organisation has in place and also consider the policies and procedures that need to be developed.

### Corporations Act 2001 – incorporated associations

<table>
<thead>
<tr>
<th>Financial control</th>
<th>Policy and/or other documentation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Controls are in place for cash handling</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Cash handling and receipting</strong></td>
<td></td>
</tr>
<tr>
<td>Assigning the responsibility of collecting cash or transacting on behalf of the organisation to designated officers of the organisation. In other words, the collection and receipting of cash is restricted to nominated members of the organisation.</td>
<td></td>
</tr>
<tr>
<td><strong>Controls relating to the safeguarding of assets</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Disposal of assets</strong></td>
<td></td>
</tr>
<tr>
<td>Limiting the authority regarding the sale or disposal of the organisation’s assets to designated board members and only with the authority of the full board (preferably by board resolution).</td>
<td></td>
</tr>
<tr>
<td><strong>Controls are in place for committing the organisation’s resources (i.e. spending, contracting, etc.)</strong></td>
<td></td>
</tr>
<tr>
<td>Contracts, including leases, are legal agreements that commit the organisation to fulfilling certain requirements or obligations, often financial. It is advisable to maintain a record of contracts, including such details as commencement date, term, and frequency of payments, amount to be paid and any other special conditions that need to be fulfilled.</td>
<td></td>
</tr>
<tr>
<td><strong>Key financial accounts are regularly reconciled</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Bank reconciliation</strong></td>
<td></td>
</tr>
<tr>
<td>Treasurer to perform reconciliation between bank statements and related financial reporting, control accounts for all bank, investment and cash accounts. The board to periodically validate the reported amount of cash at the bank to the bank statement.</td>
<td></td>
</tr>
<tr>
<td><strong>Authorised (and number of) signatories</strong></td>
<td></td>
</tr>
<tr>
<td>All cheques must contain two eligible signatures. Eligible signatories are board members or staff members who have been previously nominated and endorsed by the board. Similarly, to the extent possible, all EFT transactions should involve two authorised signatories. Avoid giving sole authority to one individual, unless there are extensive detective and compensating controls.</td>
<td></td>
</tr>
</tbody>
</table>
Key risks – knowing what they are and how they can be managed cont.

Financial Management - Useful Websites and Other Resources

For more information relevant to financial management and policies, please refer to the following resources:

**Example policies**
- Institute of Community Directors[^39]

**Training**
- Australian Institute of Management[^40]

**Other**
- Australian Sports Commission[^41]
- Australian Taxation Office[^42]
- Australian Charities and Not-for-Profits Commission[^43]

[^43]: The National Standard Chart of Accounts (NSCOA) is a data entry tool and data dictionary for not-for-profits, including charities. All Australian governments (Commonwealth, state and territory) have agreed to accept NSCOA when requesting information from not-for-profits. While NSCOA is not compulsory, there are benefits in using it. It is most commonly used in the not-for-profit sector, including charities. The NSCOA may also be particularly useful if your organisation is about to change or update its accounting system or thinking about updating and improving its financial reporting. https://www.acnc.gov.au/ACNC/Manage/Reporting/NSCOA/ACNC/Report/ChartofAccounts2.aspx
## Contract management

In contract management, managing risks means identifying and controlling factors that may have an impact on the fulfilment of a contract. Regardless of the specific nature of the contract your organisation may enter into, there are a few key questions that should be addressed to identify and manage the potential risks prior to the commencement of the contract.

Refer to this contract checklist as guide when negotiating, executing and managing contracts.

<table>
<thead>
<tr>
<th>Preliminary</th>
<th>Yes</th>
<th>No</th>
<th>For items marked as ‘No’, detail actions required.</th>
</tr>
</thead>
<tbody>
<tr>
<td>For large contracts, has a due diligence and credit check been conducted on the other party? If not, explain why these were not necessary.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>For large contracts, have you been provided with details of the contractor’s public liability and professional indemnity insurance – i.e. level of cover and expiry date?</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Contract contents

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>For items marked as ‘No’, detail actions required.</th>
</tr>
</thead>
</table>

Are the correct legal names and ABN/ACN numbers advised on the contract and have they been checked against the ASIC Company register?

Does the contract include clauses to cover, but not limited to the following:

- defined start and finish dates
- impacts and compliance of local/interstate legislation. Does the contract explicitly state which law has jurisdiction?
- confidentiality
- publishing rights
- GST tax issues
- Does the agreement address the relationship and liability/indemnity/ownership and rights for any sub contracting?
- conflict of interest
- Force Majeure, which releases parties of their contractual obligation in the event of war/natural disaster that block completion of the contract.
- dispute resolution and escalation (Does the contract address dispute resolution processes and the position should a dispute not be resolved?)
- price and progress payments clearly stated.

### Termination and disputes

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>For items marked as ‘No’, detail actions required.</th>
</tr>
</thead>
</table>

Do you understand the circumstances in which you can end the contract?

Is there provision to allow for the formalisation of changes or variations throughout the term of the contract?
Key risks – knowing what they are and how they can be managed cont.

<table>
<thead>
<tr>
<th>Execution</th>
<th>Yes</th>
<th>No</th>
<th>For items marked as ‘No’, detail actions required.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Has legal advice been obtained prior to contract execution?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does the intended signatory have the appropriate financial delegation and authorisation of the full board/committee?</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Ongoing contract management considerations</th>
<th>Yes</th>
<th>No</th>
<th>For items marked as ‘No’, detail actions required.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Has a member or other individual been formally appointed by the board/committee for the responsibility of the ongoing management and administration of the contract including variation management and change control?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Are there procedures in place to report on the progress of the contract to the board on a regular basis?</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Key point:** Seek professional advice when you are unsure of the meaning or consequence of any contractual issue, especially if a substantial amount of money is involved.

**Probity**

**What is probity?**

The term probity means integrity, uprightness and honesty. Probity is also about ensuring that the processes in tendering and procurement transactions are conducted with integrity, fairness and honesty.

Probity is a behaviour and an attitude. It involves adopting an ethical and transparent approach, allowing the process to withstand scrutiny. Probity is about adherence to the following key principles:

- Ensuring the process is as competitive as possible.
- Ensuring a fair, impartial and unbiased process where no-one has an unfair advantage or is disadvantaged. (For example, ensuring that the process is conducted in accordance with the process terms and conditions provided to tenderers for all tenders.)
- Ensuring all have access to the same information at the same time.
- Having consistency and transparency of the process. (For example, disclosing to tenderers the method to be adopted for the evaluation of tenders, including all evaluation criteria.)
- Maintaining appropriate confidentiality. Sensitive information of the tendering organisation should be identifiable (i.e. marked as ‘confidential’).
- Identifying and resolving any real or potential conflicts of interest. In the context of a tender process, conflicts of interest can arise when members of your organisation involved in the tender process, their families or business associates stand to gain a benefit or advantage.
- Ensuring that appropriate records are kept (i.e. ensuring all process and probity issues and actions taken to resolve such matters are fully documented).

Application of probity principles should ensure that when your organisation undertakes purchases (significant or otherwise) or commits to a long-term contractual arrangement, a fair and robust process is undertaken and as a result minimises potential liability if the process outcome is challenged (for example, selection of one supplier over another).
**Human resource**

Human resource risk is the risk that the organisation may incur losses or will not meet its key objectives due to:

- drain or loss of key personnel (for example, coaches, officials)
- deterioration of morale
- the inadequate development of human resources
- inappropriate working schedules
- inappropriate working and safety environment
- inequality or inequity in human resource management or discriminatory conduct.

All organisations have personnel. Regardless of the size of your organisation, it survives and thrives because of the capabilities and performance of the people that work within it.

Your organisation may have both paid and unpaid staff members. Sport and recreation organisations, in particular, rely heavily on the support of volunteers to enable them to provide the level of service to their members with the resources they have available.

Because people are such an integral part of sport and recreation organisations, how you treat them is vitally important. To get the best out of your people, it is important to make them feel valued and part of your organisation regardless of whether they are paid or unpaid.

The human resource concepts and issues discussed here aim to provide you with an understanding of the processes involved in recruiting, managing and retaining people within your organisation.

Having sound systems and sound practices may assist you in bringing the right people into your organisation and keeping them there. They can help them to develop a sense of commitment to the organisation, provide and plan for development opportunities, offer support and reward performance.

To minimise further risk in this area, ensure you stay compliant with the relevant legislation and regulations that relate to the employment of staff and engagement of volunteers.

---

**Key point:** Treat paid and unpaid staff (volunteers) equally well and it will strengthen your club or association.

**Human Resource Management – Key Legislation**

Key acts, regulations and standards relevant to the human resources management function are listed below.

**National Employment Standards**

The National Employment Standards (NES) set out minimum conditions for employment. These include the entitlement to:

- a maximum standard working week of 38 hours for full-time employees, plus ‘reasonable’ additional hours
- a right to request flexible working arrangements
- parental and adoption leave of 12 months (unpaid), with a right to request an additional 12 months
- four weeks paid annual leave each year (pro rata)
- ten days paid personal/carer’s leave each year (pro rata), two days paid compassionate leave for each permissible occasion and two days unpaid carer’s leave for each permissible occasion
- community service leave for jury service or activities dealing with certain emergencies or natural disasters (this leave is unpaid except for jury service)
- long service leave
- public holidays and the entitlement to be paid for ordinary hours on those days
- notice of termination and redundancy pay
- the right for new employees to receive the Fair Work Information Statement.

The NES only apply to paid employees (not volunteers) and only certain entitlements apply to casual workers.

For more information about the NES refer to the Fair Work44 website.

**Key point:** As an employer you must be aware of the minimum National Employment Standards.

Modern Awards

In addition to the NES, a modern award may cover any paid employees you have. These awards cover an industry or occupation and provide additional enforceable minimum employment standards.

Modern awards contain terms about minimum wages, penalty rates, types of employment, flexible working arrangements, hours of work, rest breaks, classifications, allowances, leave and leave loading, superannuation, and procedures for consultation, representation, and dispute settlement. They may also contain terms about industry specific redundancy entitlements.

For more information about modern awards or to find an award, visit the Fair Work Awards webpage.

Key point: As an employer you must be aware of the relevant awards covering your staff.

Work Health and Safety (WHS)

Work health and safety should be a key area of concern for your organisation. You have an obligation to provide a safe and healthy workplace to all staff (paid and unpaid). The consequences of not doing so can be severe.

In South Australia, there are two relevant pieces of legislation: Work Health and Safety Act 2012 (SA) and Work Health and Safety Regulations 2012 (SA). These acts:

- establish health and safety duties, including the primary duty to protect any person from exposure to hazards and risks that arise from work
- provide for worker representation, consultation and participation including through Health and Safety Representatives and Health and Safety Committees
- enable compliance and enforcement through SafeWork SA (the regulator)
- provide for the creation of regulations and codes of practice.

For more information regarding WHS, see the section of this resource titled Legal Risk, Key Concepts and Legislation – Work Health and Safety or the SafeWork SA website.

Privacy

Privacy in clubs and associations is about how your club or association keeps personal information secure and protects it from misuse, loss and unauthorised disclosure. The Commonwealth Privacy Act sets out the requirements an organisation is legally obliged to implement to protect people’s personal information. It requires that your organisation:

- takes reasonable steps to ensure that individuals are aware of the information that your organisation collects about them and what this information is used for
- ensures that personal information is kept secure and is accurate and up-to-date
- provides individuals with access to their information on request and to correct information where necessary.

46 https://www.safework.sa.gov.au/show_page.jsp?id=112104#.VsLGw8B1Q
Key risks – knowing what they are and how they can be managed cont.

For more information regarding privacy principles, refer to the Australian Sports Commission website. In this resource we have also outlined some of the recent changes in legislation. See the section titled Legal Risk, Key Concepts and Legislation - Privacy.

Human Resource – Key Documents

Listed below are a number of key documents relevant to the management of people in your organisation (paid and unpaid). If your organisation does not already have them in place, it is recommended that you work towards developing them.

If a number of these documents are already being used, it is recommended that you undertake an assessment of your performance against legislation and best practice guidelines.

Purpose statement

All organisations should have a clearly defined purpose statement. This outlines your organisation’s purpose for existing (e.g. to strengthen the community [of your club or association]).

In order to develop a purpose statement, you should have a clear understanding of and focus on what your organisation wants to achieve and why. You should be clear about what your club’s goals and objectives are and the rationale on which these are based.

Your purpose statement is a key document that should be included and discussed with new staff (paid or unpaid) as part of the induction process. Having a clear purpose statement that outlines the organisation’s key goals and principles and a framework for achieving these can assist your club or association in engaging staff, as it provides them with meaningful work and a clear understanding of how their efforts contribute to the organisation and its success.

Key point: Be clear about who you are and who you are not.

Code of conduct

Your club or association should have a code of conduct that sets out what your organisation considers to be an acceptable standard of behaviour and conduct. The code of conduct outlines how you expect staff, volunteers, members and their guests to behave. It should explicitly outline behaviour that is acceptable and behaviour that is unacceptable.

Disciplinary action

When a group or individual demonstrates behaviour that is unacceptable according to your organisation’s code of conduct, disciplinary action may be appropriate. For example, if a staff member or volunteer is observed making derogatory comments to others, it may be appropriate to issue a warning. Should the behaviour continue, further action might need to be taken; however, incidents should be assessed and addressed on a case-by-case basis.

For more information about developing a code of conduct, refer to the Office for Recreation and Sport website.

Key point: Make sure you have a code of conduct and ensure it is actively communicated to key staff, volunteers, members and stakeholders.

Policies and procedures

Your club or association should have a set of standard policies and procedures in place to help guide behaviour and decision-making and manage human resource risk within your organisation.

Key point: Make sure you have a code of conduct and ensure it is actively communicated to key staff, volunteers, members and stakeholders.

---

While a policy provides guidance on the standards for your organisation, a procedure outlines how these standards should be implemented. Some of the policies (and associated procedures) that you may need to develop include:

- recruitment
- work health and safety
- volunteer management
- equal employment opportunity (EEO)
- staff induction
- member protection
- volunteer induction
- managing unsatisfactory performance
- misconduct and disciplinary action
- bullying and harassment
- leave (incorporating personal leave, annual leave, carer’s leave, compassionate leave, long service leave and unpaid leave)
- dispute resolution
- first aid
- injury and incident reporting
- acceptable use of computers, Internet and email.

For more information and templates, refer to the Institute of Community Directors’ website.

Additional assistance and useful tools regarding misconduct and disciplinary action and bullying and harassment can be found at the Play by the Rules website.

**Key point:** Standard policies and procedures will help to guide behaviour within your organisation.

**Dispute resolution**

Disputes between individuals may occur within your organisation. It is important that your organisation has a clear and fair process for managing these disputes. In the first instance, the parties involved in the dispute should be encouraged to meet and discuss the issue.

The purpose of this process is to identify the problem and options for resolution and consider these options with the aim of achieving a resolution that is acceptable to both parties. If this process does not produce the desired outcome, mediation by an independent person may help. By developing an effective dispute resolution policy and procedure, you can reduce the risk of these issues escalating and requiring (potentially costly) external involvement.

For more information regarding dispute resolution, refer to the Play by the Rules and Fairwork websites. Mediation SA (8350 0376) may provide independent and free support.

**Key point:** Deal with all issues as soon as they arise.

---

50 http://www.playbytherules.net.au/
51 http://www.playbytherules.net.au/
Key risks – knowing what they are and how they can be managed **cont.**

**Volunteer management plan**

Volunteers play a vital role in the sport and recreation industry. It is likely that without volunteers, your club or association would find it difficult to provide an appropriate level of service to the community. As such, a large and active volunteer workforce is essential to the survival of the industry.

A volunteer management plan is an important resource that can help you to ensure that you recruit and retain the best people to optimise the success of your organisation and reduce the risks associated with not having the right people in the right positions.

The V-STAR[^53], online volunteer management tool for sport and recreation organisations developed by the Office for Recreation and Sport is a useful resource for organisations to utilise when developing their volunteer management plan.

**Key point:** Develop a volunteer management plan.

**Getting and retaining the best people**

**Recruitment practices**

Recruiting the right people to your organisation is vital in ensuring its ongoing success. Whether you are recruiting volunteers or paid staff, you should ensure that you have the considered the following:

- a clear description of the goals and purpose of the organisation (as discussed above)
- a job description for the relevant position, which should outline:
  - what the person is expected to do
  - the skills or qualifications (e.g. first-aid certificate, police check, etc.) a successful candidate would be expected to possess
  - who the person should speak to if they have a problem
- an understanding of how the position will meaningfully contribute to the organisation.

Once these aspects are in place, you can begin to search for possible candidates. When recruiting individuals, you may choose to approach individuals already involved in your organisation. Alternately, you may wish to advertise the positions through community noticeboards, newspapers, or online.

Once you have identified potential candidates for your position, you will need to screen them to ensure that they will be suitable and fit the needs of your organisation. You will want to make sure that the candidate is competent; that they get along with other people and that they have the skills that you are looking for. It can be difficult to reject someone whom you do not think is suitable; this is where a clear job description comes in handy as it provides objective criteria for you to assess candidates against. By ensuring that you are open and transparent throughout the recruitment process and can justify your decisions using objective criteria, you can reduce the risk of candidates feeling that they have been unfairly assessed or even discriminated against.

For more information about recruiting paid and un-paid staff members, refer to the Our Community[^54], Fairwork[^55], and Australian Government Business[^56] websites.

**Key point:** When recruiting, make sure that you are transparent and objective in your decision-making.

Key risks – knowing what they are and how they can be managed cont.

**Induction**

Once you have successfully recruited new people to your organisation, you need to induct them. Induction is the process through which new members (whether paid employees or volunteers) are welcomed to your organisation, given details about their position and the day-to-day operations of the organisation and introduced to key people.

Taking up a new position is a critical period for staff members and for the organisation. New people cannot be expected to understand the requirements of their new position or how your club or association functions on a day-to-day basis without a well-designed induction process. Inductions can help reduce stress on new people, make them feel welcome and reduce the likelihood of turnover.\(^57\)

This process of induction is based on socialisation, which is the process of assisting a new staff member to learn values, expectations and norms of your organisation. To ensure that new people are appropriately ‘socialised’ to your club or association, the induction process should cover:

- relevant policies and procedures
- procedures for dispute resolution
- emergency processes and resources
- the expectations of their position
- supervisors (if any) and other people they will be working with
- day-to-day routines.

For more information about induction and to obtain an induction checklist, refer to the Club Help\(^56\), V-STAR\(^59\), and Fairwork\(^60\) websites.

**Key point:** Make sure that you have a process in place to induct all new staff (paid or unpaid) into your organisation.

**Job descriptions**

Job descriptions specify the duties, tasks and activities that are expected of each individual in your organisation. Every person within your organisation (whether paid or unpaid) should have an up-to-date job description. As roles evolve with time, these changes can be reflected in the job description. Ideally, job descriptions should be reviewed on an annual basis.

Where possible, it can be a good idea to involve the position holder in the development of the job description. This will help to ensure that the document is an accurate reflection of the duties, tasks and activities that are undertaken in the course of the particular role. Care might need to be taken when doing this to reflect what any future person in the position would be required to do against the tasks the current position holder undertakes. A good job description should incorporate the following elements:

- a summary of the mission/purpose and major activities of the organisation
- a description of the purpose and duties of the position including actual tasks that the person will be expected to perform
- areas of accountability
- the type of position, i.e. is it full-time, part-time, casual (all paid) or a volunteer role
- if a volunteer role, the expected time commitment each week/month
- workplace location
- required and preferred skills
- expected performance.

---


For a job description template, refer to the Fairwork website. For example volunteer job descriptions, refer to the V-STAR website.

**Key point:** Job descriptions provide clarity about what is expected of people within their role.

### Contracts

If your club or association employs paid staff, perhaps in hospitality or administration roles, it is recommended that you have written and signed contracts in place. A contract forms the basis of the employment relationship and should cover all the conditions of employment.

**Key point:** All paid positions need a contract of employment.

### Training and development

Training and developing your staff (both paid and unpaid) is essential for strengthening skills and motivating individuals to achieve and maintain satisfaction in their roles. People who are competent in their roles (i.e. well-trained) are likely to feel satisfied whereas people who lack confidence are likely to feel stressed.

Training your staff members to ensure that they have the right skills and knowledge is a vital part of your risk management plan. Numerous training courses are available to your organisation.

Internal support through mentoring or buddy systems can also be very productive.

For more information about training opportunities within South Australia visit the V-STAR and Volunteering SA websites.

**Key point:** Make sure your staff and volunteers are always learning something, as this will keep them connected to your organisation.

### Evaluating and rewarding performance

The work of both paid and unpaid staff members should be reviewed regularly. This process may include:

- reviewing goals and objectives
- identifying results achieved
- obtaining feedback from current staff members and customers (i.e. club members and other patrons)
- assessing the performance of staff members
- conducting exit interviews for departing staff members.

In addition to evaluating or reviewing the performance of your staff, it is also important to recognise and reward individuals for their efforts. This helps to maintain morale among staff and demonstrates that your club or association places real value in the work that they do. There are many different ways you can recognise and reward people within your organisation; this includes both financial and non-financial rewards such as providing a wind-down party after a special event, listing their names in your club newsletter or even just a simple ‘thank you’.

For more information on how to retain people within your organisation, including evaluating and rewarding performance visit the Australian Sports Commission and V-STAR websites.

**Key point:** Give feedback to staff and volunteers regarding their performances so they know how they are doing.

---

Member and child protection

Member Protection

The Australian Sports Commission (ASC) advises that member protection is a term now widely used in the sports industry to mean practices and procedures that protect a club’s members. Members can include member associations, affiliated clubs and individuals including athletes, administrators, coaches and officials.

Member protection is also about managing one of the biggest risks to your organisation – the harming of members.

Member Protection Policy

As part of your risk management strategy, you may wish to adopt or develop a selection of policies specific to member protection. This policy can be a combination of a number of traditionally separate policies including discrimination, harassment and child protection. (Refer to the section titled Child Protection.)

The ASC has developed a member protection policy framework template, which can be found on the Australian Sport Commission’s Member Protection website.

The template is a generic document meant for guidance only. It is designed to assist organisations when writing their own member protection policy. The template includes:

- policy position statements on child protection
- harassment and sexual relationships
- organisational and individual responsibilities
- code of conduct.

If you are planning to develop a member protection policy, it is recommended that you investigate the policy that your peak body, usually your state sport or recreation organisation, has in place to ensure that your policy or procedures are aligned to that which is recommended for your sport or activity.

Member Protection Information Officer

Another strategy that can support a member protection policy is a member protection information officer (MPIO). An MPIO is a trained person, usually appointed by the national, state or regional association, who can assist your organisation with advice on managing member protection complaints and conflicts when they arise.

An MPIO is responsible for providing information to an individual (a member of your organisation) who makes a complaint or raises a concern about their rights, responsibilities and options.

Their role also includes providing confidential information, moral support and options to help resolve issues. The MPIO is the central contact for any concerns or information about harassment, sexual abuse or inappropriate behaviour.

An MPIO can also be the designated individual responsible for providing information and advice to an organisation’s administrator and complaint handlers with regard to the member protection policy of that organisation.

MPIOs are generally impartial; they do not mediate or investigate complaints.

An MPIO can be freelance and not linked directly to the organisation or a specific sport or recreation body.

Key point: Organisations are encouraged to clearly distribute the name and contact details of their MPIO.
There are a number of steps in becoming a certified MPIO. These are listed on the Australian Sports Commission website or through the Play by the Rules online training.

It is also recommended that you contact the ORS for further information: 08 8457 1408.

**Complaint Handling**

Effective complaint handling is as much about ensuring that people's rights are being protected as it is about ensuring that your sport is safe, fair and inclusive to all its members.

Within your organisation, it is recommended that you:

- Appoint an official complaint handler(s). A complaint handler is any person in authority in your organisation who may be required to resolve complaints or concerns in the normal course of their duties. Complaint handlers can be board members, committee officers (president, secretary and committee members), coaches, officials and grounds people. They can reside at a club, state or national organisation level.

- Formalise the complaint handling process by way of creating an organisational policy that clearly outlines the processes and procedures to be followed. Sample complaint handling policies can be found on the Touch Football Australia and Sport Matters websites.

**Complaint Handling - Training**

The ASC, in partnership with Play by the Rules, has developed a free, seven-module on-line course. The modules include:

1. Introduction to Complaint Handling
2. Complaint Resolution Procedures
3. Member Protection and the Law
4. Listening and Responding
5. Meeting with a Contact
6. Ethical and Practical Considerations
7. Nipping it in the Bud.

The Play by the Rules website also has a large range of resources and tools to assist your organisation in handling complaints.

**Child Protection**

Children and young people attending your organisation and participating in the activities being offered have a right to be safe and protected at all times. Your organisation has a responsibility to children to provide a safe environment that minimises the risk of discrimination, harassment and abuse.

The Children's Protection Act 1993 (SA) requires all organisations that provide health, education, welfare, sporting or recreational, religious or spiritual, child care, cultural, entertainment, party or residential services wholly or partly for children, to develop policies and procedures to create and maintain a safe environment for children and young people. The Act also requires that suspicion or instances of child abuse or neglect are reported to the relevant authorities. A child is any person less than 18 years of age.

The South Australian Office for Recreation and Sport provides a concise guide for all participants titled “Keeping Children Safe in Recreation and Sport”.

The information it contains will be useful to many people who undertake various tasks in your organisation. The guide includes a definition of child protection and the role of the club, parent, volunteer and participant. It also has checklists that will help you keep children safe in your organisation and links for more other information and services.

---

This publication also includes the following seven principles of good practice set by the Chief Executive of the Department for Education and Child Development (DECD). These principles should underpin your organisation’s commitment to providing a child safe environment:

• Identify and analyse risk of harm.
• Develop a clear and accessible child safe policy.
• Develop codes of conduct for adults and children.
• Choose suitable employees and volunteers.
• Support, train, supervise and enhance performance.
• Empower and promote the participation of children in decision-making and service development.
• Report and respond appropriately to suspected abuse and neglect.

What does your organisation need to do?

According to DECD, organisations must undertake the following key tasks as part of their obligation to establish and maintain a child safe environment:

• Develop a risk management strategy with respect to risk of harm to children from someone within the organisation.
• Develop policies and procedures such as a child safe policy, code of conduct, and a procedure for reporting child abuse and neglect.
• Conduct relevant history assessments.
• Lodge a statement or check whether a statement has been lodged on your behalf with DECD, which outlines the organisation’s child safe environment policies and procedures. (This statement may be lodged by a representative body on behalf of organisations they represent).

1. Policies

Your organisation needs to have appropriate child safe policies and procedures in place.

Child safe environments policies and procedures should be established by your board and communicated to all relevant personnel. This may include:

• agents
• employees
• contractors
• sub-contractors
• volunteers
• parents
• members
• anyone else involved in the organisation who has contact with children or their records.

The policy will need to demonstrate to staff, volunteers, parents and children that your organisation is committed to the safety of children; it should set out appropriate standards of behaviour and practices for people working and volunteering with children.

The policy will also need to list the steps your organisation will take to promote the safety and wellbeing of children.

It will also need to be tailored and relevant to your organisation’s focus and activities.

The DECD 73 website provides a range of guidelines. Sample policy templates and other information to assist your organisation with the development of an appropriate policy can be found on the Office for Recreation and Sport 74 website.

The member protection policy template provided by the Australian Sports Commission includes a child protection policy (Item 6). This policy is compliant with the requirements of SA Legislation.

An association, state sporting organisation or national body may require their affiliated clubs to adopt their member protection policy or one that can be adapted to meet the club’s requirements.

Key point: Organisations are advised to contact their governing body before creating their own member protection policy.

---

73 www.families.sa.gov.au/childsafe
74 www.ors.sa.gov.au/create_a_child_safe_environment
Organisations that do not have a governing body or do not have a member protection policy provided for them can adapt the following templates, which meet the current child protection legislation:

- national member protection policy template – Australian Sports Commission
- state version - member protection policy template
- club version - member protection policy template
- sample code of conduct.

These templates can be found on the Office for Recreation and Sport website.

Notwithstanding the resource assistance listed above, the following are important elements for you to consider when developing and implementing a child safe policy:

- **Consulting** - Involve all members of your organisation in the development of your child safe policy and code of conduct. Wide consultation will help ensure that the policy will be used, understood and supported by everyone in your organisation.

- **Child protection policy inclusions** – recommended content:
  - **Statement of the organisation’s commitment** - Your policy should clearly state your organisation’s commitment to the safety, protection and wellbeing of children. This statement might be quoted on newsletters, wall posters and in other contexts to ensure that this commitment is understood by everyone involved in your organisation.
  - **Legislation** - Your policy should reflect and refer to the obligations under the Children’s Protection Act 1993 and, more importantly, your organisation should ensure it understands its obligations under the Act. A useful tool is the DECD’s website’s legislation about child safe environments. Refer to: http://www.families.sa.gov.au/pages/protectingchildren/CSELegislation/

- **Relevant history assessments** - Where it applies, your policy should also refer to your procedure for conducting relevant history assessments.

- **Bullying and harassment** - Your policy should contain a statement about how your organisation will address bullying by, or against, children in your organisation.

- **Understanding privacy and data protection** - The policy should also address the collection, retention, use and disclosure of personal and other sensitive information. Appropriate safeguards must be in place to protect information about your organisation’s members. For more information, refer to the section titled Legal Risk, Key Concepts and Legislation - Privacy.

- **Complaints management and disciplinary action** - Establish a process for managing complaints and disciplinary proceedings that is accessible to everyone in your organisation (including children and young people) and refer to it in your policy.

- **Review, update and refine** - Set a review date for your policy. Your organisation’s policy should also be reviewed and updated if:
  - an issue is identified
  - if new legislation is enacted
  - your peak body changes their policy
  - new standards are introduced.

- **Review your risk** - Your policy should include, or refer to, your risk management action plan. The plan should identify, assess and take steps to minimise risks of harm to children that could arise from the action or inaction of someone in your organisation.

- **Choosing and developing the right people** - Establish safe and fair recruitment and selection processes for employees and volunteers. This should include comprehensive screening processes and exclusion of people who are assessed as posing an unacceptable or high risk to children.

---

Key risks – knowing what they are and how they can be managed cont.

- Developing a code of conduct - Your organisation should also develop a code of conduct that:
  - promotes child safety
  - encourages positive work practices
  - provides guidance about the behaviour, relationships, attitudes and responsibilities expected from employees and volunteers who are working with children.

Your organisation should also have a procedure for dealing with any situation where the code is breached.

For additional assistance in developing a code of conduct and sample templates, visit

The Department for Education and Child Development[76] and the Play by the Rules[77] websites.

Policy - reporting child abuse and neglect

Your organisation's staff and volunteers may be mandated notifiers and required by law to report any suspicions of child abuse and neglect. Your organisation must have a policy for ensuring these people are aware of this obligation and the appropriate process for making reports to the Child Abuse Report Line (13 14 78).

DECD[78]'s website provides comprehensive guidance about reporting child abuses and neglect.

Some of the topics listed on the website to assist your organisation include:
- How do I report suspected child abuse or neglect?
- What do I need to provide when I make a report?
- How do I follow up on a report?
- What are the possible indicators of abuse?
- How do I respond to a child who has told me about abuse?
- What does the legislation say?
- What is the legal requirement to notify and penalty for failing to do so?
- Who is legally required to notify?
- What matters should not be notified?
- Is my duty of care fulfilled by notifying?
- Is a minister of religion required to notify on information received in confession?
- What is ‘suspicion on reasonable grounds’?
- What should I expect from a Child Abuse Report Line worker?
- How does Families SA assess the case?
- Can my identity as the notifier be revealed?

Communicate

Ensure everyone in your organisation is aware of your policies and committed to achieving a child safe environment.

2. Relevant History Assessments

All people who work in a prescribed position[79] with children in sport and recreation organisations in South Australia are required to undergo a relevant history assessment, unless an exemption applies.

To undertake a relevant history assessment the organisation must assess, as a minimum, a national police check.

Police checks for volunteers are generally provided at no cost through the Volunteer Organisation Authorisation Number (VOAN). Check with your state sport or recreation organisation before submitting your application with the police.

Alternatively, an organisation may choose to have the assessment completed by an authorised screening unit such as the Department for Communities and Social Inclusion Screening Unit (DCSI).

---

[77] www.playbytherules.net.au/features-mainmenu/club-toolkit
[79] A prescribed person is defined as a person who has regular contact with children or regularly works in close proximity to children and is not directly supervised or who is someone who manages or supervises such personnel.
This service meets the requirement of the Children’s Protection Act (1993), is more thorough than a police check and abolishes the need for the organisation to assess the information. It does, however, operate on a fee-for-service basis and is not covered by the VOAN.

Once you obtain the criminal history report (police check) of employees and volunteers who work with the children of your organisation, you are required by law to ensure that this information is dealt with in accordance with the ‘Standards for dealing with information obtained about a person’s criminal history as part of a relevant history assessment’.

Exemptions

In some cases, the law will allow for the exemption of a person from the requirement to undergo a relevant history assessment. Organisations will need to examine the exemptions to see if any exemptions apply to the people working or volunteering in their organisation.

Even if some people meet the criteria for an exemption, organisations may still require people in these categories to undergo a relevant history assessment as a matter of good organisational practice, even if an assessment is not required by law.

The following organisations, persons and positions may be exempt from the requirement to conduct a relevant history assessment:

- a person volunteering for a service or activity in which their child ordinarily participates
- a volunteer who is less than 18 years of age
- a person working or volunteering for a short-term event or activity of less than 10 days duration or for no more than 1 day in any month
- a person occupying a position in which all work involving children is undertaken in the physical presence of the child’s parents or guardians and in which there is ordinarily no physical contact with the children
- a person who undertakes, or a position that only involves, work that is primarily provided to adults or is provided to the public generally and is not provided to any child on an individual basis
- an organisation that provides equipment, food or venues for children’s parties or events but does not provide any other services for children
- a person who has regular contact with a child as part of an employment relationship with the child (for example, a person working alongside a child or supervising an employee who is a child)
- a person who is appointed as a police officer or is a registered teacher (police officers and teachers are already subject to comprehensive relevant history assessments as a prerequisite for employment).

How to conduct relevant history assessments

There are standards that organisations must follow when conducting criminal history assessments and these standards can be accessed from the Families SA website.

Alternatively, a person may be directed or apply for an assessment to be completed by a recognised screening unit. At present, DCSI operates an approved screening unit. The screening unit will complete the assessment and provide a letter of clearance.

Obtaining a national police certificate

For more information and applications, visit the SA Police website. If your organisation requires an assessment to be completed visit the DCSI website.

---

81 www.families.sa.gov.au/childsaf
3. Statement by the organisation lodged with DECD

Under the Act, all organisations that provide health, welfare, education, sporting or recreational, religious or spiritual, child-care, cultural, entertainment, party or residential services wholly or partly to children must lodge a statement outlining their child safe environment policies and procedures with DECD.

An organisation may do this by completing the child safe environments compliance statement lodgement form in either hardcopy or on-line. This form sets out the minimum requirements an organisation must meet to demonstrate that it has established a child safe environment within the organisation.

Your state or representative body may have lodged this statement on behalf of its clubs. If clubs are unsure whether this has been done on their behalf, it is recommended they contact their representative body before submitting a statement.

For more information refer to the Department for Education and Child Development's website or email DECDChildsafe@sa.gov.au

Mandated Reporting

Staff and volunteers of recreation and sport groups that are working with children or are in a management position in that organisation have a legal obligation to report any suspected child abuse and/or neglect.

DECD’s website provides comprehensive guidance about reporting child abuse and neglect.

**Mandated reporting courses**

Most people in sport who work with children are mandated notifiers (i.e. they must report suspected child abuse). However, it is not compulsory for all volunteers to attend mandated notifier training.

It is recommended that your organisation establish a ‘Child Safe Officer’ who has some training in mandated reporting and is assigned the responsibility of formally communicating information to others in the organisation.

The ORS provides Child Safe Officer training that is specific to sport and recreation organisations. See the Office for Recreation and Sport’s website for more information.

**Managing incidences or allegations of child abuse**

A resource called ‘Managing allegations of child abuse in recreation and sport’ is available and provides a step by step guide for organisations that become aware of an incident or alleged incident of misconduct towards children. It provides information to assist the organisation to understand their obligations and appropriate actions and can assist with minimising the impact of the incident.

This includes providing appropriate support to the victim and their family, managing the alleged offender, assisting the club and others involved and template letters to assist with informing the parents or others who may have been in contact with the alleged offender.

**Summary**

Like any other area of risk, it is recommended that you regularly review your policy and procedures regarding child protection to ensure they are effective and reflect any changes to your organisation, its activities and legislative changes.

Child protection requires a commitment to developing a child safe culture that is incorporated into your overall organisation’s risk management strategy. It is everyone’s responsibility to provide a safe environment to prevent and minimise opportunities for harm to children and to ensure their recreation and sport experiences are positive.

84 www.families.sa.gov.au/childsafety
Sports integrity

Integrity in sport covers a range of ethical and moral issues that affect players, officials, coaches, members and other individuals associated with your organisation.

An organisation that displays integrity may be regarded as honest and genuine in its dealings with others. Integrity issues that sporting organisations face have changed as community standards on a range of issues have evolved.

Some of the key integrity issues facing sporting organisations today include:

- match fixing, illegal gambling and corruption
- racial vilification, harassment and discrimination
- fairness and inclusion
- the use of performance enhancing substances
- drug and alcohol abuse.

Sport is a central part of the lives of many South Australians and it delivers benefits to both individuals (discipline, team work, good health, friendships) and the broader community (community pride, cohesion and economic benefits).

As a sporting organisation within the community, you have a moral obligation and duty of care to ensure a fair, safe, ethical and inclusive culture within your organisation.

By promoting the integrity of your organisation and sport more generally, you can also help to safeguard your reputation, which has a number of key benefits for your organisation such as:

- increased participation – loyalty of current members and attraction of new members
- financial viability – through membership, attraction of sponsors and funding grants
- on-field success – attraction of players who want to be associated with a positive, healthy and successful club.

**Key point:** Promoting and ensuring the integrity of your sport and organisation has tangible benefits.

http://www.ausport.gov.au/supporting/integrity_in_sport/about/what_is_sport_integrity
**Gambling and corruption**

Betting or gambling is a legal and legitimate activity; however, fraudulent betting is not. Illegal sports’ betting is often linked to match fixing and associations with organised crime groups. Organisations should be aware that issues that impact on a sports integrity are not limited to professional sporting organisations or to a particular sport.

Along with illegal gambling, corruption and associations with outlaw groups are also emerging issues within the sporting industry. Clubs and associations should be cognisant of these issues and understand the threat that they pose to sport integrity.

Apart from the legal ramifications that may result from engaging in this type of activity, clubs or associations who are perceived to be involved in illegal or fraudulent activity may also lose sponsorship and members because of their poor reputation.

**Key point: Your club or association should remain vigilant in regards to the potential issues associated with gambling and corruption within sport.**

**Doping and other illicit drug use**

Sporting organisations play an important role in raising awareness for anti-doping. You are responsible for promoting an ethos of drug-free sport within your organisation at all levels.

Even if the Australian Sports Anti-Doping Authority (ASADA) does not test your organisation’s players, they still need to be educated about the status of certain supplements and other banned substances (including illicit drugs). For example, your players need to be aware that supplements ordered via the Internet may be intercepted by customs who report the importation of any banned substances directly to ASADA for investigation.

As leaders, you have an obligation to ensure that your members (including officials, players, family members and other support personnel) are educated and aware of issues related to doping. Under the World Anti-Doping Agency (WADA) code, ignorance is not an excuse for violating anti-doping rules. Allegations and instances of doping behaviour can seriously damage the reputation of your organisation.

By taking steps to educate and implement an anti-doping policy within your organisation, you can help to reduce the risk of this type of behaviour.

For more information and educational tools refer to the Australian Sports Anti-Doping Authority99 website.

For a list of prohibited substances visit the World Anti-Doping Agency90 and Australian Sports Anti-Doping Authority91 websites.

The South Australian Sports Medicine Association also offers educational services to sport and recreation organisations on performance and illicit drug use in a sporting environment.

Further information can be found at the South Australian Sports Medicine Association website.

**Key point: Clubs and associations have an obligation to ensure that members can participate in the chosen activity in a safe and welcoming environment.**

---


Fairness and inclusion

Being inclusive means welcoming people into your club regardless of age, gender, race or ability. Changes in community expectations mean that inclusion is becoming an increasingly important issue for clubs and associations. Your organisation is important to your local community and can be a great place to encourage positive contact and cooperation between people from a range of different backgrounds and with a range of different abilities.

To be inclusive, your club needs to take proactive steps to ensure that everyone is welcomed and encouraged. Thankfully, many of these steps take very little time and effort – you may simply need to educate your members about the expectations of what it means to be an inclusive club.

Do a self-check on the Western Australia Department of Sport and Recreation\(^2\) website to see how inclusive your organisation is.

For more information about how to make your club more inclusive, visit the Play by the Rules\(^3\) website.

**Key point:** An inclusive club or association encourages people of all backgrounds and abilities to participate.

Racial vilification, harassment and discrimination

Racism, harassment and discrimination often go unnoticed; however, in some groups this type of behaviour has become a part of social and cultural norms. Behaviours that constitute harassment and discrimination may not only be unwanted by and offensive to the recipient, they may also be against the law.

Your organisation should strive to provide a safe environment for your members. If a club or association is found to be liable for racism, harassment or discrimination at a sporting event, it could have its reputation damaged or even face legal or financial penalties.

As such, it is important to ensure that your organisation has proper measures and policies in place to make sure that instances of racism, harassment and discrimination are identified and dealt with appropriately. You can include policies to address these issues in your member protection policy.

For more information visit the Play by the Rules\(^4\), and Racism. It Stops with Me\(^5\) websites.

**Key point:** Clubs and associations have an obligation to ensure that members can participate in the chosen activity in a safe and welcoming environment.

---

\(^2\) http://www.dsr.wa.gov.au/howinclusiveisyourclub
\(^3\) http://www.playbytherules.net.au/
\(^4\) http://www.playbytherules.net.au/component/content/article/81-links/1245-racism-in-sport
\(^5\) http://itstopswithme.humanrights.gov.au/
Alcohol

Many Australians enjoy alcohol. Increasingly, however, the negative consequences of alcohol use are now being recognised. At an individual level, excessive use of alcohol can negatively impact a person’s health and wellbeing and at the broader club or association level it can damage an organisation’s reputation and integrity.

Negative associations from ‘drinking’ cultures can affect sponsorship opportunities and may create negative role models and a culture of inappropriate behaviour. Sporting organisations are often where young people look to find role models and where potentially lifelong attitudes are established.

As such, it is important for your organisation to promote the responsible consumption of alcohol. Not only can this help create a culture that brings the focus back on the sport and encourages junior and family involvement, but promoting responsible drinking can also help reduce the risk of poor behaviour (e.g. alcohol-fuelled violence, property damage, etc.). Organisations with liquor licences have a legal responsibility to serve alcohol responsibly, but even those without licensed premises can help promote positive attitudes towards drinking.

For an example of an alcohol policy, refer to the Play by the Rules Alcohol Policy Resource96.

Key point: Your organisation should actively promote the responsible consumption of alcohol.

Non-profit organisation

The following section assumes that your organisation is a non-profit organisation.

The Australian Tax Office (ATO) defines non-profit as ‘an organisation that is not operating for the profit or gain of its individual members, whether these gains would have been direct or indirect. This applies both while the organisation is operating and when it winds up. Any profit made by the organisation goes back into the operation of the organisation to carry profit made by the organisation goes back into the operation of the organisation to carry out its purposes and is not distributed to any of its members’.

The ATO advises that it accepts an organisation as non-profit where its constituent or governing documents prevent the organisation from distributing profits or assets for the benefit of people – both while it is operating and when it winds up.

Key point: A non-profit organisation can still make a profit, but it must be used to carry on its purposes and must not be distributed to owners, members or other organisations.

Example of a non-profit organisation: An organisation makes a $50,000 profit for the year. It uses this profit to reduce its debts and provide for its activities in the following year.

Regulatory compliance

Taxation Compliance

Taxation compliance is about effective risk management of one of the biggest risks to your organisation – regulatory non-compliance.

---

96 http://www.playbytherules.net.au/assets/alcohol_policy.docx
Key risks – knowing what they are and how they can be managed

**Non-profit organisation**

*Income Tax Exemption*

Whether a non-profit organisation has to pay income tax will depend on whether or not the organisation is exempt from income tax.

As per the ATO’s publication ‘Tax basics for non-profit organisations’, only certain categories of organisation are exempt from income tax. They come from the following broad groupings:

- community service organisations
- cultural organisations
- educational organisations
- employment organisations
- health organisations
- resource development organisations
- scientific organisations
- sporting organisations.

Organisations that are not charities can self-assess their entitlement to income tax exemption. They do not need to be endorsed by the ATO to be exempt from income tax.

The ATO’s publication ‘Income tax guide for non-profit organisations’ helps non-profit organisations work out if they are exempt from income tax.

As per the ATO website, if you work out that your organisation meets all the requirements for income tax exemption, the following applies:

- your organisation will not need to pay income tax, capital gains tax or lodge tax returns unless specifically asked to do so
- your organisation does not need to get confirmation of this exemption from the ATO
- your organisation should carry out a yearly review to check if it is still exempt – your organisation should also do this when there are major changes to the organisation’s structure or activities.

**Other Tax Issues**

For an overview of further tax issues that may affect non-profit organisations, refer to the ATO information booklet titled ‘Tax basics for non-profit organisations’.

This guide explains an extensive range of matters including:

- which taxes and concessions affect non-profit organisations
- how you work out if your organisation is exempt from tax
- the organisation’s tax obligations
- directions on where you can find more detailed information; for example, applying for an ABN, registering for GST and other taxes.

---

**Key point:** You should use the ATO information booklet as a starting point if you are the treasurer, office bearer or employee involved in the administration of a non-profit organisation.

*It is also worthwhile for one of these individuals to Subscribe at the Australian Taxation Office website to:*

- receive free email updates on key issues affecting the non-profit sector
- view new publications the ATO releases for non-profit organisations
- view changes to tax laws.

---


Registering for GST

You must register for GST if you run a business or enterprise and your GST turnover exceeds the threshold amount. At the time of releasing this publication, the threshold for non-profit organisations is $150,000. While an organisation has a responsibility to register for GST if turnover exceeds the relevant threshold, it also has an obligation if it is likely to exceed the threshold and the organisation is not registered for GST.

If you are not registered for GST, check each month to see whether you have reached your threshold. You must register within 21 days of reaching the threshold. If your GST turnover is below the threshold, registering for GST is optional. However, if you choose to register, you generally must stay registered for at least 12 months.

If your organisation is under the threshold, the main benefit of registering for GST includes the ability to claim back the GST credits on expenses or on any goods purchased by the organisation. This is often helpful for organisations whose expenses are high and their income is low or GST-free.

As with all tax issues, it is recommended that you seek professional advice about whether or not your organisation should register for GST.

Checklist

The ATO has produced a self-governance checklist for non-profit organisations to help with identifying and managing their tax and superannuation compliance risks and other risks that may affect an organisation’s reputation and work.

The checklist can be found at the Australian Taxation Office website.


For additional assistance with taxation matters, visit the Australian Taxation Office non-profit section on the website.

Compliance - Other

In addition to taxation compliance, your organisation is subject to a range of other laws and regulations as noted throughout this resource.

Key legislation that your organisation needs to comply with (irrespective of your organisation’s legal structure) is referenced throughout this resource (refer to the section titled Legal Risk, Key Concepts and Legislation).

How your organisation is legally structured will affect its compliance with laws and regulations. The legal structure of your organisation may be:

- incorporated association
- unincorporated association
- company limited by guarantee.

You should ensure that you understand all your financial and reporting obligations required under the prevailing Act.

The section titled Financial highlights key financial duties and requirements with respect to your legal structure; the section titled Human Resource identifies a number of compliance requirements with respect to employment law.

Social media

Aside from the known benefits of social media to an organisation in terms of communicating and engaging the wider membership base, social media can also pose a risk to an organisation’s confidential information and reputation. It may also result in legal, regulatory and compliance violations.

All organisations need to be proactive in managing their social media risk. The following is a suggested checklist for organisations to manage their social media risk.

---

100 GST credits are a potential amount of money your organisation might be able to claim from the ATO.

# Key risks – knowing what they are and how they can be managed

## Social media risk

**Checklist of requirements**

<table>
<thead>
<tr>
<th>Requirements</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy review</td>
<td></td>
</tr>
</tbody>
</table>
- Review all existing policies to determine if social media requirements are covered (for example, employee code of conduct and volunteer code of conduct).  
- Ensure the policies meet legal requirements and are written in simple language so that all officers and members of your organisation understand the requirements. |
| Social media policy and procedures |  
- Establish whether your organisation has a social media policy.  
- An appropriate policy will outline what is acceptable and unacceptable behaviour and regulate employee, volunteer and officer activity.  
- Ensure the policy is written in plain language.  
- Example best practice disclosures\(^{102}\) include:  
  - email communications and text message to members who are minors (must also include the member’s parent/guardian)  
  - organisations using Facebook must only accept members of the organisation as their online ‘contacts’ on the club Facebook (or other social networking site) page. |
| Disciplinary and termination procedures |  
- The social media policy for your organisation should include the consequence of breaching the policy.  
- These consequences will need to be clear for the various categories within the organisation (i.e. employee, volunteer, member, etc.). |
| Governance |  
- Assign roles and responsibilities for managing your organisation’s social media, social media risk and compliance requirements. |
| Monitor |  
- Monitor content posted on the Internet about your organisation by setting up a ‘Google alert’. |
| Training and education |  
- Consider educating all employees, officers, volunteers, etc.  
- This will provide the organisation with an opportunity to communicate what is acceptable and what is not. |
| Review |  
- Assign responsibility to a knowledgeable individual to review the social media landscape in terms of changes in technology, applicable law and working practices. |
| Advice |  
- If necessary, obtain expert advice on implementing social media programs for the benefit of your organisation. |
| Terms and conditions |  
- Read and understand the terms and conditions of the social media platform your organisation will be using. |
| Insurance |  
- Review insurance coverage to ensure it is appropriate for your organisation’s social media activities. |

Key risks – knowing what they are and how they can be managed \textit{cont.}

\textbf{Social Media - Useful Websites and Other Resources}

\textit{Example policies}
- Life Saving Victoria\textsuperscript{103}
- Ferntree Gully Eagles

\textit{Templates}
- Example Social Media Policy

\textit{Other}
- Play by the Rules - Social Media Toolkit

While insurance itself is not a risk, effective and current insurance policies are a key part of any risk management program. They provide an opportunity to transfer some risk to an insurer in return for payment of a premium.

Being insured does nothing to reduce the likelihood of undesirable events occurring, but, depending on the terms of your policy, insurance can provide cash compensation after an incident has occurred. It is particularly useful for low-likelihood but high-consequence risks.

Insurance should be used as a last resort, after the risk has been treated as much as reasonably possible. Remember, having insurance does not mean that you cannot be sued.

In some sports, a range of insurance products is provided by the state or national organisation as part of the affiliation process. It is commonplace for registered players to have some limited cover for injuries sustained in the course of participating in events, programs and activities of the organisation. This insurance cover arises as a result of the NSO or SSO arranging the insurance and then recouping the premium by imposing a small levy through player registration fees. Individuals and organisations are encouraged to consult with their state/national body to gain a further understanding of the insurance products provided through affiliation and registration.

**Arranging insurance cover**

Insurance can be purchased directly from an insurance company (or an agent of an insurance company) or the policyholder can appoint an insurance broker, whose role is to act on behalf of the client to source appropriate and cost-effective insurance cover from the insurance market.

**Insurance classes and wordings**

Insurance policy wordings and the protection provided by the policy will vary between insurance companies. Even though policies may go by the same name, they don’t necessarily provide the same level of cover.

Policy benefits, conditions and exclusions are critical when comparing an insurance policy from one company to another. The only way to be certain of the insurance cover provided is to read the policy document and question your broker or the insurance company on any queries. The following case highlights the need to check exclusion clauses: the wife of a footballer who died on field in 2005 was denied an insurance payout because players older than 25 were not covered for cardiovascular-related deaths.

**Types of insurance**

The insurance covers listed here are the more standard forms that may need to be considered by the average recreation and sport body.

1. **Legal Liability Covers**

   As a result of trends in litigation liability insurance, protection often heads the list of an organisation’s insurance priorities. It is most important to identify that the insured under the policy includes all those entities and individuals who may be exposed to litigation.

   **Public Liability**

   Public liability insurance covers liability that results from loss of or damage to property, loss of use of property and death or injury due to negligence. It excludes breach of professional duty.

   A suitable recreation and sport liability policy should consider the following:

   - first aid treatment risk
   - member-to-member cross liabilities
   - umpires/referees liability
   - tenants liability
   - goods sold/products liability
   - property in physical and legal control
   - property owners liability
   - car parks, the game. By not applying padding, this duty of care has been breached and someone has been injured as a result of this breach.
Breach of professional duty is excluded under public liability insurance. For example, a public liability policy would respond to the following incident:

A football game commences without the goalpost padding in place. A player runs into the goalpost and is seriously injured. A negligence claim would likely result as a duty of care exists to provide safe facilities to play the game. By not applying padding, this duty of care has been breached and someone has been injured as a result of this breach.

**Professional Indemnity**

Professional indemnity insurance covers the insured against claims for compensation for breach of professional duty by reason of any negligence by way of act, error, omission or advice.

This type of cover is particularly relevant to coaches, instructors and referees, but also applies to medical staff and other professionals involved in recreation and sport.

Exclusions apply to the policy, which vary from one policy to another, so it is important that these exclusions are understood. It is possible to include extensions to the policy for the payment of an additional premium. Common extensions are:

- libel and slander
- fidelity guarantee
- fraud and dishonesty (amends the dishonesty exclusion so that dishonest acts unbeknown to the insured can be covered)
- loss of documents
- trade practices legislation
- automatic reinstatement of aggregate limit of liability
- consultants, sub-contractors and agents.

**Example:** A coach decides that his inexperienced players should undertake some tackling practice without inquiring what tackling expertise they have; he does not give any instruction as to how tackling should be done. He also matches the 100-kilogram ‘bruiser’ with the 70-kilogram ‘speedster’. The speedster suffers spinal injuries. Taking into account duty of care, a negligence claim would likely result. As this is a clear example of error or omission of professional duty as a coach, a professional indemnity policy would respond to this incident.
Directors and Officers Liability

Directors and officers insurance indemnifies the directors, committee members and other officers of the association against any ‘wrongful act’ committed by them in their capacity of director or officer.

‘Wrongful act’ is any actual or alleged breach of duty, breach of trust, neglect, error, misstatement, misleading statement, omission or breach of warranty or authority while acting in the capacity as directors or officers.

Exclusions will apply to the directors and officers policy. Usual exclusions include:

- bodily injury and property damage (this protection is generally provided by a public liability or professional indemnity policy)
- dishonesty and fraud of directors and officers
- actions arising from the rendering or failing to render professional services and/or advice (this protection is generally provided by a professional indemnity policy)
- claims that are made or threatened prior to the commencement date of the policy or circumstances that any director or officer was aware of that could give rise to a claim prior to commencement of the policy.

Example: A fitness centre’s board of management, desperately keen to grow its business, decides it needs improved facilities and embarks on a $100,000 facility refurbishment. Proper planning and research was not done prior to the refurbishment. When the creditors cannot be paid, they decide to hold the directors and officers personally liable. As this was neglect, error and omission by the board members while acting in their board capacity, a directors and officers liability policy would respond to this incident.

Association Liability

Association liability insurance is a policy offered by some insurers. It can be considered to be a specialist policy for incorporated associations, which adds an element of professional indemnity protection to directors and officers insurance. It is important to understand that this policy does not replace public liability or professional indemnity insurance for coaches and officials. As per directors and officers, association liability insurance excludes bodily injury and property damage.

2. Insurances Associated with Income Protection

Participants in recreation and sport, by the nature of the activities in which they are involved, have the potential for injury. Insurance is available that provides agreed benefits in the event of injury where permanent disability or medical and associated expenses are incurred or where earning capacity is lost. (Public liability insurance responds only in the case where injury or property damage occurs as a result of negligence.)

Workers Compensation

Workers compensation insurance is a legal requirement for all employers and protects employees who are injured in the workplace.

Personal Accident Insurance

Personal accident insurance is usually arranged on a group basis. This can be done at any level - from covering all members of an individual team/club all the way up to covering all members who are registered with all organisations affiliated with a particular national controlling body.

Personal accident insurance protects members while participating in their sport and recreation activities (both practice and matches), including travelling to and from those activities, attending official functions of the organisation and while staying away from home during a tour for the purpose of participating in sport and recreation events.
The benefits provided under a group personal accident policy can include:

- death
- permanent total disability
- permanent partial disability
- non-medicare medical expenses
- loss of income
- parents inconvenience allowance
- various additional ‘add on’ covers.

Covers provided will vary from company to company so it is important to fully understand the details of the insurance that is purchased. For example, under the permanent disability section, some policies will cover all permanent disability, both total and partial, whereas some policies will only cover permanent total disability. As the vast majority of permanent sports injuries are partial disability only, this is a very significant difference in the policies.

3. Protection of Assets

Recreation and sport organisations are extremely diverse in terms of size, financial turnover and assets. Therefore, the types of insurance they require to protect their property will vary considerably.

Property will typically consist of buildings, fixtures and fittings, machinery, furniture and other contents, sporting and other equipment, money and stock. If your building is leased, you should talk to the property owner about what insurances are required.

Equipment will also vary considerably and may be fixed or mobile; it may include motor vehicles, groundsmen’s equipment such as mowers, etc., computers, cash registers, gaming machines, etc. Stock may include basic canteen supplies and equipment or beverages required to stock licensed premises. Ideally, a complete list of insurable property should be available.

Keeping current records of property is important. This is often referred to as an asset register. Photographs are useful, especially with honour boards and historic items, and may be of assistance in the event of a claim.

Once you determine the property available to insure, you must then consider whether or not to insure it. Consider:

- What is the likelihood of loss or damage?
- Can any actions be taken to reduce the likelihood of loss or damage?
- What would be the consequence if the property was destroyed or damaged?
- Does the organisation have the finances to replace it? Would it need to be replaced?

Addressing questions such as these will assist considerably in determining if initiating or maintaining insurance is an appropriate action.

Usual classes of insurance appropriate for clubs include:

- fire and specified perils
- consequential loss (business interruption)
- burglary
- money
- glass
- machinery breakdown
- spoilage of frozen food
- electronic equipment breakdown
- general
- fidelity guarantee
- motor vehicle, mobile plant
- watercraft.
Steps to follow for a sustainable insurance program

The following are the steps you should take to establish a sustainable insurance program:

• Implement a risk management program to reduce the likelihood and consequence of undesirable events.

• If desired, appoint an insurance broker with the appropriate knowledge, experience and qualifications in the area of insurance and risk management.

• In association with the broker, determine those risk exposures within the organisation to which insurance is to be applied.

• Organise cover that meets the organisation’s requirements.

• When policies are received, in association with the broker, review the wordings to ensure there are no unknown endorsements, exclusions or conditions.

• For group insurance policies in particular, those covered under the policy should be aware of the benefits that are applicable. Many organisations have their members sign a declaration that they are aware of the cover provided and that they accept that cover at the time of membership.

• Remain vigilant in regard to changes in circumstances such as addition or disposal of assets that may affect sums insured or special events that may fall outside the current policies or require additional cover.

• Be proactive in ensuring that all claims made are genuine and that incurred losses are minimised.

• Analyse all available data concerning claims and injuries with the aim of extracting information that will aid in identifying strategies for reducing the likelihood or consequence of claims. This will benefit the cost and availability of insurance and allow for a safer environment for all participants. For example, with personal accident insurance, ask yourself the following questions:

  - What are the exact injuries being incurred?
  - What is causing the injuries?
  - On what surface was the activity being conducted at the time of injury?
  - What were the weather conditions?
  - At what stage of the game did the injury occur?

This information can help you make changes to minimise the likelihood of accidents and therefore increase your chance of securing ongoing insurance. Many state/national sporting bodies are involved in ‘group insurance’ schemes. These schemes involve the state/national body negotiating an insurance package on behalf of all of their members and then each affiliated club is able to purchase insurance through the scheme.

Operating as a group enables the risks and costs to be shared and often leads to much lower premiums than if your club acted on its own. To find out more, contact the state association for your sport or activity.
Local Community Insurance Services, (LCIS), is a specialist insurance provider established to manage the insurance needs of clubs and community groups within Australia. Not-for-profit organisations are eligible if they:

- provide services to the broader community
- have a turnover/funding of up to $5 million per annum
- do not distribute profits to members
- consist mainly of volunteers.

To find out more and obtain a quote, visit the Local Community Insurance Services\(^\text{104}\) website.

There are also some insurance companies that offer specialist sport insurance such as:

- Sportscover\(^\text{105}\)
- Jardine Lloyd Thompson\(^\text{106}\)

**Insurance Checklist**

An insurance checklist relevant to sport and recreation organisations is available at the NSW Office of Sport and Recreation website.


---

\(^{105}\) http://www.sportscover.com/
Risk Management and state and national standards

This section provides an explanation of Standards Australia’s ‘Guidelines for managing risk in sport and recreation activities’ and the National Sport and Recreation Competency Standards.

Standards simply provide a benchmark of performance - specifying a level of quality.

A standard is usually a published document that sets out procedures and specifications to ensure that a product or service is fit for its purpose and consistently performs the way it was intended.

Sometimes you may hear people talk about ‘best practice’ when describing the way something should be done. Best practice is a common way of doing things that is considered safe and meets the level of care required.

If Standards Australia’s ‘Guidelines for managing risk in sport and recreation activities’ and the National Sport and Recreation Competency Standards apply to your organisation, you should ensure that your policies and procedures are aligned with them.

Risk

Standards Australia has developed a handbook called HB 246:2010 Guidelines for Managing Risk in Sport and Recreation Activities so there can be a consistent national approach to risk management rather than variations across organisations and geographic locations.

The main objective is to provide a healthier environment and ‘legally’ safer operating environment for all sport and recreation organisations and their participants. Not only will this result in fewer injuries, it will also lessen the potential for any legal ramifications, criminal and civil, that may follow from a failure to operate with appropriate caution.

The handbook has been prepared mainly for volunteers on boards or committees at club, association, state or national levels.

The handbook is not prescriptive; rather it provides a broad approach including definitions, processes and guidance to allow sport and recreation organisations to make sense of risk management and apply it in a practical sense.

To purchase a copy of the booklet, visit the SAI Global\textsuperscript{107} website.

Training

Training is another area where national standards have existed for some time.

National training packages are a major feature of vocational education and training (VET) in Australia. They are national products developed in conjunction with an industry to meet current and emerging skill requirements. Training packages provide the building blocks from which training programs, leading to nationally recognised qualifications, can be developed.

The VET sector provides education and training for people entering the workforce in trades and technical occupations or for paraprofessional jobs. It covers education and training for the thousands of occupations not covered by university training.

\textsuperscript{107} \url{http://infostore.saiglobal.com/store/results2.aspx?searchType=simple&publisher=all&keyword=guidelines+for+managing+risk+in+sport}
The Sport and Recreation Training Packages (sport, fitness, community recreation and outdoor recreation) each contain a number of national qualifications that are recognised across state, territory and organisation boundaries. Each qualification, such as the Certificate III in Community Activity Programs, is made up of a selected group of competency standards.

Competency standards are statements that specify the level of skills, knowledge and their application to required performance standards for various positions and roles in the workplace. They can be used for three main purposes:

1. training - developing training programs for individuals and organisations
2. performance - staff selection, promotion and performance reviews
3. work allocation - job descriptions, organisational restructuring, work organisation.

There are literally hundreds of units of competence (core and elective) in each training package and they cover generic industry skills such as communication, administration, risk management and finance. They also cover activity-specific skills such as instructing a gymnastics class, working with people with a disability, planning a group exercise class and applying abseiling skills.

In some cases you may not need an entire qualification and you might only choose to undergo training and/or assessment for certain relevant units of competence. You would then be issued a statement of attainment listing the units you have completed. Statements of attainment are qualifications and can only be issued by Registered Training Organisations (RTOs).

These standards and training packages have been developed with input from key industry people Australia-wide to make sure they can be used as benchmarks for performance, which makes them also useful as part of a risk management program. You can compare your existing staff competence against these benchmarks to identify possible areas of risk.

Training staff and volunteers to complete their tasks safely is an important part of risk management.

For more information about sport and recreation industry related training contact Service Skills SA (SSSA), the National Industry Skills Council responsible for sport and recreation.

**Industry Specific Training**

Your organisation may also consider arranging for industry-specific training and, depending on the sport and recreation activity you are involved in, also arrange for industry accreditation, coaching and officiating training as part of your organisation’s risk management strategy.

**Adventure Activities**

The South Australian Adventure Activity Standards (AAS) have been developed to assist organisations, guides and leaders to plan and undertake outdoor adventure activities with dependent participants.

The AAS are voluntary guidelines. They are not binding on any person or organisation and have no legal force; however, they are designed to promote:

- safety for both participants and providers
- information for providers against legal liability claims and criminal penalties
- assistance in obtaining insurance cover.

The AAS reflect minimal acceptable standards of behaviour expected when planning and undertaking outdoor adventure activities with inexperienced and dependent participants.

The AAS can be modified to reflect the experience of group members and the particular situation of the adventure activity where there may be less dependence upon the group leader for guidance and instruction.

Regardless of the extent to which the AAS is adopted, each organisation, guide and leader has a duty of care to complete a risk analysis of the activity and develop a risk management approach to address potential and unexpected situations.

For more information about AAS visit the Recreation SA website.
Fitness Industry Code of Practice

The objectives of the Recreation South Australia - Fitness Industry Code of Practice are to:

1. Provide high-value services and facilities and enhance consumer confidence in the industry.
2. Improve the long-term viability of the signatory fitness centres.
3. Set a standard of business practice that protects consumers’ rights.
4. Set a standard of service that protects the health and well-being of the consumer.
5. Establish procedures to resolve complaints and to establish a disciplinary process for defaulting signatories.

This code applies to Recreation South Australia - Fitness Industry Organisational Members (as defined in accordance with the constitution of Recreation South Australia) who are signatories to the South Australian Fitness Industry Code of Practice.

Note: At the time of publishing this guideline, a National Fitness Industry Code of Practice has been drafted and has been lodged with the ACCC for endorsement and approval.

In the meantime, code legislation still exists in a number of states and territories and fitness businesses must meet these requirements.
This section includes a variety of tools and documents to help with the risk management process including guidance on policy writing, tools for planning for sport safety, checklists for an organisation audit, a risk management action template and a checklist for event management.

**Guide - Policy Writing**

As part of your various risk management strategies, you may wish to adopt or develop a selection of policies. These include subjects like member protection, discrimination, harassment, drugs, athlete selection, handling hazardous chemicals, sports integrity, anti-doping, etc.

Policies are statements about the culture of a particular organisation and give an explanation of why activities are to be undertaken. They also provide guidelines for action and a mechanism for dealing with issues as they arise.

As you prepare to develop and implement a policy, it is recommended that you check with your regional association, state recreation and sport organisation or national sporting organisation as they may have a policy that you will be able to adapt for your purposes.

If you need to write your own policy, here is a step-by-step guide:

1. Appoint someone with the responsibility for coordinating the drafting of the policy.
2. Collect all the data and information you need, which can include checking to see if your association (regional, state or national) has a policy covering the same area that you can adopt or adapt.
3. Talk with those affected by the policy to get their input before you start writing. This is important for increasing awareness and engagement with the new policy.
4. Prepare a draft document using short, concise sentences. Sometimes it is easier to find an existing policy created for a similar situation or organisation and modify it for your own circumstances.
5. Consult widely to get comment on the draft and then amend it accordingly.
6. The policy and associated implementation procedures should be formally adopted by your organisation – usually at board level.
7. Ensure the policy/procedure has a review date clause.
8. Publish the policy and distribute it to all affected parties. Additionally, depending on the intended audience for the policy, consider making it available through your website portal. It is strongly recommended you would convert the policy to a PDF prior to storing the policy on your website.

Once you have created a policy, you then need to monitor how it works and ensure that people comply with it.

**Other useful tips**

As policies are usually written for a wide audience, they need to be simple and easy to read. It is suggested you use everyday words as your default language style. A consistent structure in the policy layout, font and paragraph style is also recommended.

Consider making your policies available on your website portal. This enhances the transparency of your organisation. However, remember to protect confidential and proprietary information.
### Sample policy disclosures

<table>
<thead>
<tr>
<th>Heading</th>
<th>Example Disclosures</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>[Insert Title] Policy</strong></td>
<td>• Provide a clear and concise policy title that ends with the word ‘Policy’. For example Social Media Policy.</td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
<td>• Concisely state the organisation’s position on the topic and why the policy is necessary. For example: To provide the membership community with a guide to the appropriate use of social media.</td>
</tr>
<tr>
<td><strong>Scope</strong></td>
<td>• Identify whom the policy applies to (e.g. specific areas or groups within the organisation or the whole organisation).</td>
</tr>
<tr>
<td></td>
<td>• Identify any exclusions.</td>
</tr>
<tr>
<td></td>
<td>• Where no exceptions are identified, the scope may be described as follows: This policy applies to all members of this club.</td>
</tr>
<tr>
<td><strong>Policy</strong></td>
<td>• Provide clear and concise policy statements.</td>
</tr>
<tr>
<td></td>
<td>• Include information about risks to be addressed.</td>
</tr>
<tr>
<td></td>
<td>• Include information about benefits to be achieved.</td>
</tr>
<tr>
<td></td>
<td>• Any additional information necessary for carrying out or complying with the policy should be detailed in a separate procedure, schedule or guideline. For example: With the rapid growth and application of social media, [INSERT CLUB NAME] recognises the need to have a policy that ensures that those who use social media either as part of their association with the organisation or in a personal capacity in communicating with other club members on club matters, have guidance as to the [INSERT CLUB NAME]’s expectations where social media is used.</td>
</tr>
<tr>
<td><strong>Roles and Responsibilities</strong></td>
<td>Clearly define who is responsible for what task/action.</td>
</tr>
<tr>
<td></td>
<td>Role:</td>
</tr>
<tr>
<td></td>
<td>Authority/Responsibility:</td>
</tr>
<tr>
<td><strong>Related Documents</strong></td>
<td>• [Insert Document Title(s)]</td>
</tr>
<tr>
<td></td>
<td>• List any related documents (other than legislation). Any documents referred to in the body of the policy should be listed.</td>
</tr>
<tr>
<td></td>
<td>• Related documents may include policies, procedures, guidelines, checklists, forms, websites, etc.</td>
</tr>
<tr>
<td></td>
<td>• Documents may be listed in alphabetical order and include hyperlinks if possible and relevant.</td>
</tr>
</tbody>
</table>
Other useful resources cont.

**Sample policy disclosures**

<table>
<thead>
<tr>
<th>Heading</th>
<th>Example Disclosures</th>
</tr>
</thead>
</table>
| Definitions and Abbreviations    | - List definitions for technical terms and other key terms referred to in the policy that are not in common use.  
- List abbreviations and their meanings.                                                                                                                                                                                                                 |
| Authorisation                    | - Insert date of authorisation and board resolution reference. For example: Name, Meeting date, Agenda item, Resolution reference                                                                                                                                                                                                                     |
| Contact                          | - List whom to contact in the organisation if any aspect of the policy requires clarification.                                                                                                                                                                                                                                                     |
| Next Review Date                 | - Insert: This policy is to be reviewed by [DD/M/YYYY].  
- The date entered here should be based on the date on which the policy was approved by the board.  
- In terms of best practice, policies are usually reviewed every two years; however, the date can be set earlier than this if required (but no later).                                                                                                                                                                      |

**Policy Writing - Useful Websites and Other Resources**

**Example Policies**

- Institute of Community Directors - Policy Bank - At this website, you can find a range of free policies and procedures relevant to not-for-profit boards and committees and the organisations they govern. The Institute advises that policies are free for any not-for-profit organisation to download and use, so long as it is for a non-commercial purpose and that the organisation is not paying a consultant to carry out this work. We recommend you read the full copyright guidelines available on the website:

**Audit tools and templates**

**Planning for Sports Safety – Smartplay Club Membership**

In this section, you will find examples or links to safety audit tools or checklists that may assist you in identifying potential risks. These are basic checklists you may wish to read and/or complete. They are not definitive lists - just a starting point.

Use the processes described in Steps 3, 4, 5, 6 and 7 of the Risk Management Process section to analyse and treat the risk(s) you identify.

If you have an insurance provider, it may also have an audit checklist that you can use for your organisation.
Planning for sports safety

Sports Medicine Australia has developed the following two resources to assist you to begin the process of planning for sports safety:

1. How to Become a Smartplay Club

This resource provides a basic sports safety audit approach, a step-by-step process to begin your sports safety planning and a simple case study example.

2. Smartplay Guidelines for Clubs, Associations and Facilities

This resource serves dual purposes. It can be used as a basic sport safety audit tool and it provides a generic sports safety plan framework that your organisation can use and adapt to your sport, recreation, physical activity and/or facility.

It includes ten existing preventative medicine and safety policies that supplement different sections of the plan. These documents are included in the Help section.

As these documents are likely to be updated, it is recommended that you visit the Smartplay\(^\text{110}\) website, to ensure that you have the most recent version.

Smartplay Guidelines - 10 generic information sheets

1. Medical History Form
2. Infectious Disease
3. Injury Record Form
4. Drugs & Substances
5. Drink Up Brochure
6. Roles & Responsibilities
7. First Aid Kit
8. Hot Weather Guide
9. Gear Up
10. Warm Up Brochure.

Activity Leaders Checklist

Another safety audit tool is this Activity Leaders Checklist, which is designed for an activity leader or supervisor as a reminder of what needs to be considered when conducting sport and recreation activities. This checklist is only a starting point for organisations or leaders to develop their own checklist as part of their risk management action plan.

### Other useful resources cont.

#### Prior

<table>
<thead>
<tr>
<th>Activity leaders checklist</th>
<th>Yes</th>
<th>No</th>
<th>Actions required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Do I understand the aim of the activity?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do I have suitable experience and accreditation to conduct the activity?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do I plan my activity according to the industry standards or national guidelines for conduct of the activity?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Have I considered potential dangerous circumstances such as weather and other hazards?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do I know the organisation’s policy on cancellation or postponement?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do I know what to do in an emergency?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Are all staff familiar with the emergency procedures?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Have the participants been adequately informed about the activity and its inherent risks?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Have waivers/consent forms been explained and agreed to?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Have the participants been screened for injuries and capacity before starting the activity?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do any participants have special requirements?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Have I nominated an appropriate meeting place?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Have I conducted a risk analysis of the activity (including transport if relevant)?</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Other useful resources cont.

### During

<table>
<thead>
<tr>
<th>Activity leaders checklist</th>
<th>Yes</th>
<th>No</th>
<th>Actions required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Do I have all resources required for the activity?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Have I inspected the activity area for visible damage or hazards?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Have I checked the activity and participant equipment?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>How many participants do I have – are they all present?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Have I checked their medical forms?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do I know what to do if an accident happens?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is the first aid kit accessible?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do I have means of summoning assistance if required (e.g. mobile phone)?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do I have copies of the enrolment/medical forms with me?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Are the participants properly equipped?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Are rules and guidelines for the activity clearly explained to all participants?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Are rules and guidelines for the activity clearly explained to all participants?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Are appropriate safety measures being taken during the activity?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is the activity meeting its aims?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Am I enforcing the rules and guidelines for the activity?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Are the participants enjoying themselves?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Are we minimising our impact on the environment?</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Activity leaders checklist

<table>
<thead>
<tr>
<th>Activity leaders checklist</th>
<th>Yes</th>
<th>No</th>
<th>Actions required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Do I have all my participants?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is all the equipment returned and checked for damage/wear?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Have I checked the activity area for damage and reported any damage to the appropriate person?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Did I debrief/conclude the activity appropriately?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Did I review how the activity went?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>What could I do to improve the activity?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Did I identify any hazards/risks that need to be reported or considered for future similar activities?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Did I complete an incident report form for any accidents that occurred?</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

If you have addressed these issues, the following risk management protocols should be in place:

- adequate supervision and adhering to recommended participant/instructor ratios
- accredited training for all staff
- criminal history assessments have been completed as required by legislation or the organisation policy
- comprehensive knowledge of local conditions (including facilities and weather)
- insistence on participants complying with skill and physical capacity requirements
- equipment that meets national standards or industry best practice guidelines
- pre-activity check of the area if off-site
- obtaining knowledge and advice from more experienced leaders
- waivers/consent forms clearly explained and signed by all participants
- warnings and safety signs prominently displayed
- enforcing the rules and safety guidelines for the activity.
Other useful resources cont.

**Adventure Activity Standards**

The South Australian Adventure Activity Standards (AAS) have been developed to assist organisations, guides and leaders to plan and undertake outdoor adventure activities with dependent participants. Standards have been prepared for:

- bushwalking
- horse trail riding
- mountain biking
- rock climbing and abseiling on natural structures
- surfing
- trail bike riding.

To view the nine Adventure Activity Standards visit the Recreation SA[111] website.

---

**Risk Management Action Plan Template**

This section provides a risk management action plan template that can be used when planning an activity, program, event or project to help you manage risk (as per the section titled Risk Management Process). The template enables you to document the risks you have identified and your reasons for determining the level of risk and note the treatment on which you have decided.

You should keep a copy of any completed sheets for your records. These may assist you in demonstrating to any current or potential insurers that you have a risk management strategy in place.

---

[111] www.recreationsa.org/outdoors/
<table>
<thead>
<tr>
<th>Potential Risk</th>
<th>Level of Risk</th>
<th>Reason for Risk Rating</th>
<th>Action</th>
<th>Resources Required</th>
<th>Responsibility</th>
<th>Timeline</th>
<th>Communication</th>
<th>Risk Treated</th>
<th>Review Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Risk and date identified (See Step 2)</td>
<td>Rating risk as low, moderate, high (See Step 3)</td>
<td>Risk rating</td>
<td>What is to be done? (See Step 7)</td>
<td>Specify resources required</td>
<td>Assign responsibility for the action to be completed</td>
<td>Proposed completion date</td>
<td>Strategy to inform relevant parties (e.g. committee, personnel, sponsors, members) (See Step 8)</td>
<td>Yes/No Date Treated</td>
<td>($See Step 9)</td>
</tr>
</tbody>
</table>

Other useful resources cont.

Risk Management Action Plan
Event Management Checklist

Effective planning and preparation are crucial to the risk management and success of an event including the safety of all participants.

For more information relevant to event management, please refer to the following resources:

Safework SA

The Event Safety Management Information series is aimed at those involved in planning, organising and implementing small-to-medium-sized community events and is designed to assist organisers in ensuring that safe management systems are in place.

The series consists of four information sheets:
- Event Safety Management
- Event Safety Administration
- Event Safety Risk Assessment
- Event Safety Checklist.

Copies of the information sheets are available on the Safework SA[^1] website.

Australian Sports Commission


It may also be worthwhile to contact your peak body, which may have specific checklists relevant to your sport and recreation activity.

<table>
<thead>
<tr>
<th>Event Management Checklist</th>
<th>Action</th>
<th>Responsibility</th>
<th>Item</th>
<th>Deadline</th>
<th>Budget</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>SIGNAGE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Production Delivery</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Erection quantity</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tear down Storage</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SECURITY</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Venue</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hospitality</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TICKETING</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Branding</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Quality</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Staff</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Outlets</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>AWARDS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trophies Certificates</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Presentation Ceremony</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Event Management Checklist cont.

<table>
<thead>
<tr>
<th>Item</th>
<th>Action</th>
<th>Responsibility</th>
<th>Action</th>
<th>Budget</th>
<th>Deadline</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>TECHNICAL</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Power source</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phones</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Faxes</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TV/VIDEOS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobile phones</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pagers</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PA system</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Scoring</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Music</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>SERVICES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Venue operations</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Volunteers catering</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cleaning</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Toilets</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Signage/Marquee</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maintenance</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Power</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>First aid</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>HOSPITALITY</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sponsor</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Media</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>MEDIA</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Press kits</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Competition tickets</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Media registration</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Media facilities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interview area</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Press release</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Event Management Checklist cont.

<table>
<thead>
<tr>
<th>Item</th>
<th>Action</th>
<th>Responsibility</th>
<th>Action</th>
<th>Budget</th>
<th>Deadline</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>MERCHANDISING</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Range</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Quality</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sales-pricing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Displays</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Advertising</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Signs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Licenses</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>COMMUNICATIONS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Major sponsor</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Co-sponsors</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>General public e.g.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lost property/people</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Advertising</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Programmes</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PR</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ambush</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Troubleshooting</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>LEGAL</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contracts</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Licensees</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Local body/Council</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Approvals</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Venue approvals</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contingency</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Other useful resources cont.

Help
Office for Recreation and Sport
The ORS provides a range of extensive resources including advice, useful links, training opportunities and various publications to assist your organisation.

Example resources include:

<table>
<thead>
<tr>
<th>Resource</th>
<th>Nature of assistance</th>
</tr>
</thead>
<tbody>
<tr>
<td>V-STAR</td>
<td>On-line volunteer management tool</td>
</tr>
<tr>
<td>STARCLUB</td>
<td>Club development program</td>
</tr>
</tbody>
</table>

Contact Details for ORS are as follows:
Phone: 1300 714 990
Website: www.ors.sa.gov.au/

Other organisations
Listed below are contact details for further information related to issues discussed in this resource.

<table>
<thead>
<tr>
<th>Resource</th>
<th>Contact details</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Adventures Activity Standards</strong></td>
<td></td>
</tr>
<tr>
<td>• Angling</td>
<td></td>
</tr>
<tr>
<td>• Bushwalking</td>
<td></td>
</tr>
<tr>
<td>• Canoeing</td>
<td></td>
</tr>
<tr>
<td>• Caving</td>
<td></td>
</tr>
<tr>
<td>• Horse trail riding</td>
<td></td>
</tr>
<tr>
<td>• Mountain biking</td>
<td></td>
</tr>
<tr>
<td>• Rock climbing and abseiling on natural</td>
<td></td>
</tr>
<tr>
<td>structures</td>
<td></td>
</tr>
<tr>
<td>• Surfing</td>
<td></td>
</tr>
<tr>
<td>• Trail bike riding</td>
<td></td>
</tr>
<tr>
<td>• Snorkelling, diving and wildlife swims</td>
<td></td>
</tr>
<tr>
<td>• Challenge rope courses</td>
<td></td>
</tr>
<tr>
<td><strong>Tax basics for non-profit organisations</strong></td>
<td></td>
</tr>
<tr>
<td>**Keeping children safe in recreation and</td>
<td></td>
</tr>
<tr>
<td>sport**</td>
<td></td>
</tr>
<tr>
<td><strong>Club Development</strong></td>
<td></td>
</tr>
<tr>
<td>Resources Supporting Sport: Includes topics</td>
<td></td>
</tr>
<tr>
<td>such as:</td>
<td></td>
</tr>
<tr>
<td>• managing risks</td>
<td></td>
</tr>
<tr>
<td>• club management</td>
<td></td>
</tr>
<tr>
<td>• information management</td>
<td></td>
</tr>
<tr>
<td>• starting a club</td>
<td></td>
</tr>
<tr>
<td>• people management</td>
<td></td>
</tr>
<tr>
<td>• administration</td>
<td></td>
</tr>
<tr>
<td><strong>Australian Taxation Office</strong> resource</td>
<td></td>
</tr>
<tr>
<td><strong>STARCLUB</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Australian Sports Commission</strong> resource</td>
<td></td>
</tr>
</tbody>
</table>
Other useful resources cont.

**Other organisations cont.**

Listed below are contact details for further information related to issues discussed in this resource.

<table>
<thead>
<tr>
<th>Resource</th>
<th>Contact details</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Event Safety</strong></td>
<td><strong>SafeWork SA</strong>&lt;br&gt;Phone: 1300 365 255&lt;br&gt;Website: <a href="http://www.safework.sa.gov.au/show_page.jsp?id=5852">www.safework.sa.gov.au/show_page.jsp?id=5852</a></td>
</tr>
<tr>
<td>Information sheets:</td>
<td></td>
</tr>
<tr>
<td>• Event Safety Management</td>
<td></td>
</tr>
<tr>
<td>• Event Safety Administration</td>
<td></td>
</tr>
<tr>
<td>• Event Safety Risk Assessment</td>
<td></td>
</tr>
<tr>
<td>• Event Safety Checklist</td>
<td></td>
</tr>
<tr>
<td><strong>Tax basics for non-profit organisations</strong></td>
<td><strong>Australian Taxation Office</strong> resource</td>
</tr>
<tr>
<td><strong>Fitness Code of Practice</strong></td>
<td><strong>Recreation SA</strong>&lt;br&gt;Phone: 08 8351 2644&lt;br&gt;Fax: 08 8351 2633&lt;br&gt;Website: <a href="http://www.recreationsa.org/?page_id=422">www.recreationsa.org/?page_id=422</a></td>
</tr>
<tr>
<td>Note: At the time of publishing this guideline, a National Fitness Industry Code of Practice has been drafted and has been lodged with the ACCC for endorsement and approval. In the meantime, code legislation still exists in a number of states and territories and fitness businesses must meet these requirements. Refer to: <a href="https://fitness.org.au/guidelines.html">https://fitness.org.au/guidelines.html</a></td>
<td></td>
</tr>
<tr>
<td><strong>Hot Weather Guidelines</strong></td>
<td><strong>South Australian Sports Medicine Association</strong>&lt;br&gt;Phone: 08 8234 6369&lt;br&gt;Website: <a href="http://www.sasma.com.au/">http://www.sasma.com.au/</a></td>
</tr>
<tr>
<td><strong>Incorporation</strong></td>
<td><strong>Consumer and Business Affairs</strong>&lt;br&gt;Phone: 131 882&lt;br&gt;Website: <a href="http://www.cbs.sa.gov.au/wcm/associations-and-charities/incorporated-associations/">www.cbs.sa.gov.au/wcm/associations-and-charities/incorporated-associations/</a></td>
</tr>
<tr>
<td>Includes a definition of incorporation, the advantages of incorporation, details on how to incorporate and who can incorporate.</td>
<td><strong>Legal Services Commission of SA resource</strong></td>
</tr>
<tr>
<td><strong>Insurance</strong></td>
<td><strong>Sports Cover</strong>&lt;br&gt;website: <a href="http://www.sportscover.com/fynb.asp">www.sportscover.com/fynb.asp</a></td>
</tr>
<tr>
<td>Online sport and recreation industry insurance broker database</td>
<td></td>
</tr>
<tr>
<td><strong>Insurance Enquiries</strong></td>
<td><strong>Insurance Council of Australia</strong>&lt;br&gt;Phone: 02 9253 5100 or 1300 728 228&lt;br&gt;Website: <a href="http://www.insurancecouncil.com.au/">www.insurancecouncil.com.au/</a></td>
</tr>
</tbody>
</table>
### Other useful resources cont.

**Other organisations cont.**

Listed below are contact details for further information related to issues discussed in this resource.

<table>
<thead>
<tr>
<th>Resource</th>
<th>Contact details</th>
</tr>
</thead>
</table>
| **Insurers**                      | **Insurance Council of Australia**  
Phone: 02 9253 5100 or 1300 728 228  
**Australian Securities and Investment Commission**  
Phone: 02 9253 5100 or 1300 728 228  
| **Legal Enquiries**               | **The Law Society of South Australia**  
Phone: 08) 8229 0200  
Website: [www.lawso cietysa.asn.au/](http://www.lawso cietysa.asn.au/) |
| **Legal Enquiries**               | **Legal Services Commission of South Australia**  
Phone: 1300 366 424  
| **Legislation**                   | **SA Attorney General's Department**  
| **Play by the Rules**             | **Play by the Rules**  
Website: [www.playbytherules.net.au](http://www.playbytherules.net.au) |
| **Privacy**                       | **Office of the Australian Information Commissioner**  
Website: [www.oaic.gov.au/](http://www.oaic.gov.au/) |
| **SafeWork SA**                   | **SafeWork SA**  
Resource kit on work health and safety laws and volunteers |
Other useful resources cont.

Other organisations cont.
Listed below are contact details for further information related to issues discussed in this resource.

<table>
<thead>
<tr>
<th>Resource</th>
<th>Contact details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Smart Play</td>
<td><strong>Sport Safety Plan and Injury Prevention</strong> resource</td>
</tr>
<tr>
<td></td>
<td><strong>How to Become a Smartplay Club</strong> resource</td>
</tr>
<tr>
<td></td>
<td><strong>Guidelines for Clubs, Associations and Facilities</strong> resource</td>
</tr>
<tr>
<td>Standards Australia</td>
<td>Standards Australia</td>
</tr>
<tr>
<td>framework for risk management in the sport</td>
<td></td>
</tr>
<tr>
<td>and recreation industry in Australia</td>
<td></td>
</tr>
<tr>
<td>Training – Child-Safe Environments</td>
<td>Office for Recreation and Sport</td>
</tr>
<tr>
<td>Training – Sport and Recreation – Sports SA</td>
<td>Sports SA</td>
</tr>
<tr>
<td></td>
<td>Phone: 08 8353 7755</td>
</tr>
<tr>
<td>Sport SA provides Fee-for-Service Certificate</td>
<td></td>
</tr>
<tr>
<td>courses as follows:</td>
<td></td>
</tr>
<tr>
<td>• Certificate III in Sport &amp; Recreation</td>
<td></td>
</tr>
<tr>
<td>• Certificate IV in Sport &amp; Recreation</td>
<td></td>
</tr>
<tr>
<td>Sport SA also provides customised training</td>
<td></td>
</tr>
<tr>
<td>programs to its member sporting organisations</td>
<td></td>
</tr>
<tr>
<td>and clubs in a range of areas:</td>
<td></td>
</tr>
<tr>
<td>• volunteer management</td>
<td></td>
</tr>
<tr>
<td>• event support</td>
<td></td>
</tr>
<tr>
<td>• conflict resolution and mediation</td>
<td></td>
</tr>
<tr>
<td>• compliance - relevant acts and regulations</td>
<td></td>
</tr>
<tr>
<td>• governance</td>
<td></td>
</tr>
<tr>
<td>Training – Sport and Recreation – TAFE SA</td>
<td>Office for Recreation and Sport</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Other useful resources cont.

Other organisations cont.

Listed below are contact details for further information related to issues discussed in this resource.

<table>
<thead>
<tr>
<th>Resource</th>
<th>Contact details</th>
</tr>
</thead>
</table>
| Temperature, Humidity and Wet Bulb Globe Temperature (WBGT) Information | Temperature, Humidity and Wet Bulb Globe Temperature (WBGT) Information  
| Volunteer Support                             | Office for Volunteers  
Phone: 1300 014 712  
Fax: 1300 015 965  
Email: ofv@sa.gov.au  
Website: www.ofv.sa.gov.au/home |
| Work Health & Safety Employer information     | Work Health & Safety  
Website: http://www.rtwsa.com/                                                                     |