



**YACHTING
VICTORIA**

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RISK MANAGEMENT

A Practical Resource for Clubs[©]

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RISK MANAGEMENT FOR CLUBS

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INTRODUCTION

Philosophy

Yachting Victoria is mindful of the risks associated with conducting sailing races and activities at club level. In an effort to assist volunteer club officials to minimise these risks, Yachting Victoria has developed a basic risk management tool which can be implemented by clubs with a view to providing a safer sporting environment and experience for club sailors.

Background – duty of care

Club and race officials will owe a duty of care to participants in sailing races and activities where there is a reasonably foreseeable risk of harm or injury to participants as a result of their actions. In exercising this duty of care, the law requires officials to take reasonable steps to reduce the likelihood of injury to participants as a result of those risks which are foreseeable.

This is the rationale which underpins any risk management program – in this case, the process of identifying risks involved in conducting sailing competitions and activities, and then adopting strategies and actions designed to reduce these risks wherever possible.

Objectives

- To reduce the incidence of injury to participants, officials and other persons associated with club sailing competitions and activities.
- To provide a fun, healthy and safe sporting environment for individuals to participate and enjoy the sport of sailing.
- To minimise potential club liability as a result of poorly managed sailing competitions and activities.

What is risk management?

Risk management is the process of systematically eliminating or minimising the adverse impact of all activities which may give rise to injurious or dangerous situations. This requires the development of a framework within which risk exposure can be monitored and controlled. Risk management is a tool by which persons involved in sport can seek to meet their duties and thus avoid liability.

Risks which can be covered by a risk management program include:

- Legal risks – losses and costs arising from legal actions for breach of a common law or statutory duty of care;
- Physical risks – injuries to participants and the public;
- Financial risks – increased insurance premiums, costs associated with injuries for business reasons, loss of financial stability and asset value, replacement costs and earning capacity and increased external administrative costs;
- Moral and ethical risks – loss of quality of participant experience and confidence, adverse publicity and damage to image or reputation.

Which risks need to be managed?

Importantly, the law does not require clubs to provide a completely risk free environment. Indeed, by agreeing to participate in sailing activities, participants will be taken to have consented to those risks which form an inevitable aspect of the activity. Clubs will not be required to take steps to counter risks where it would be unreasonable to expect a club to do so in the circumstances. Clubs will however be expected to adopt reasonable precautions against risks which might result in injuries or damages which are reasonably foreseeable.

The Australian Standard

The approach adopted in this Resource is based on the Australian Standard on Risk Management AS/NZS 4360:1999 and the National Risk Management Guideline developed by the Standing Committee on Sport and Recreation (SCORS) risk management working party.

This Resource has sought to simplify the steps set out in the Australian Standard, and includes the following stages:

- Risk Identification
- Risk Assessment
- Risk Treatment (action plan)
- Monitoring and Review
- Communication

This Resource – scope and limitations

This Resource has been developed specifically for the sailing component of yacht club activities. As such it does not address risk management considerations for other elements of yacht club operations such as governance, administration, finance, insurance, planning, etc...

The Resource is not a “be-all-and-end-all” resource, which will make your club litigation proof or completely fail-safe, however if followed, it may serve as a useful defence to claims for breach of duty of care.

Risks will vary from club to club depending upon the circumstances and the ways in which each club operates. It is up to the Committee and key people in your club when using this Resource to think about other risks not identified here, and plan for their treatment accordingly. Such “other local risks” should be included in this process where indicated in the Risk Management Tables.

Who should be involved in the risk management process?

It is important that all “key” people, from the Committee to race officials and volunteers, are involved in each step of the risk management process. Key people such as your head coach or senior race official have the training and knowledge that is required when risk questions regarding sailing races and activities are asked. Do not try to complete the risk management process in this Resource without involving other key people in your organisation. This may result in the responses being flawed.

The Risk Management Process

1. Risk Identification

The first step in our risk management program is to identify what risks exist (or may exist in the future) within our sailing programs and competitions. It is important that people who are regularly involved in the sport are involved in identifying risk areas. Officials, coaches and even participants should be consulted. There is no substitute for actual practical experience in working out why accidents occur, or what presents a potential problem.

There are a number of things that must be considered in identifying risks:

- The age of participants;
- The type of activities conducted;
- Injury history (including type of injury and cause);
- How operational procedures are conducted, and whether there have been any previous problems.

For the purposes of the present project, we have identified four **Risk Categories**. We have also identified a number of common risks which fall within these categories. Your task is to assess and treat (where necessary) these risks in the context of your club and its activities. Space has also been provided under each category for you to identify additional risks which are particular to your club.

Risk Categories:

(a) **On-water**

This category includes all of those risks associated with the conduct of sailing races and activities once the participants have left shore. On-water risks will vary depending upon the nature of the activities, experience of participants and organisers and the location(s) in which they are conducted.

(b) **Pre-and Post Event/Activities**

This category refers to the risks involved in activities which immediately precede and follow our on-water events. Launching and retrieval of boats, rigging and preparation activities of race organisers should all be considered in this regard.

(c) **Environment**

The physical environment in which we conduct club events will necessarily include risks to personal safety and property damage. This category is not concerned with the on-water environment, rather focuses on the club and surrounding environments which are utilised by members, participants, and in some circumstances, the general public.

(d) **Personnel**

This category includes club members, officials, participants, parents and spectators who may be involved in club sailing activities. The club owes a duty of care to those people who may be affected by its actions and therefore should ensure that it takes steps to manage the risks which may confront club personnel, in addition to those risks which arise as a result of their conduct.

2. Risk Assessment

Having identified the risks involved in our sailing activities we need to assess them in terms of their likelihood to occur and the seriousness of the consequences arising from their occurrence.

Each identified risk must be rated. These ratings describe:

1. the likelihood of the risk occurring (likelihood); and
2. the loss or damage impact if the risk occurred (severity);
3. the priority, or degree of urgency required to address the risk.

In order to systematically assess the risks identified in the first stage of the process, we apply the risk rating scales set out below in Tables 1 – 3. The risk rating scales will allow you to rate identified risks and then identify risk management priorities.

2.1 Likelihood

The likelihood is related to the potential for a risk to occur over an annual evaluation cycle.

Table 1: Likelihood Scale

Rating	LIKELIHOOD The potential for problems to occur in a year
A	ALMOST CERTAIN: Will probably occur, could occur several times per year
B	LIKELY: High probability, likely to arise once per year
C	POSSIBLE: Reasonable likelihood that it may arise over a five-year period
D	UNLIKELY: Plausible, could occur over a five to ten year period
E	RARE: Very unlikely but not impossible, unlikely over a ten year period

2.2 Severity

The severity of a risk refers to the degree of loss or damage which may result from its' occurrence.

Table 2: Severity Scale

Rating	POTENTIAL IMPACT In terms of the objectives of the organisation
A	CATASTROPHIC: Most objectives may not be achieved, or several severely affected
B	MAJOR: Most objectives threatened, or one severely affected
C	MODERATE: Some objectives affected, considerable effort to rectify
D	MINOR: Easily remedied, with some effort the objectives can be achieved
E	NEGLIGIBLE: Very small impact, rectified by normal processes

Having assessed each risk in terms of its likelihood and severity we are in a position to prioritise the risks to assist in the decision making of what action is warranted to manage the risks (where possible).

2.3 Risk Priority

The risk priority scale determines the nature of the risk and the action required. They are indicators to assist in the decision making of what action is warranted for the risks.

Table 3: Risk Priority Scale

		IMPACT				
		A	B	C	D	E
L I K E L I H O O D	A	Extreme (1)	Extreme (1)	Major (2)	Major (2)	Medium (3)
	B	Extreme (1)	Extreme (1)	Major (2)	Medium (3)	Minor (4)
	C	Extreme (1)	Major (2)	Major (2)	Medium (3)	Minor (4)
	D	Major (2)	Major (2)	Medium (3)	Minor (4)	Minor (4)
	E	Medium (3)	Medium (3)	Minor (4)	Minor (4)	Minor (4)

Key:

1	Extreme risks that are likely to arise and have potentially serious consequences requiring urgent attention
2	Major risks that are likely to arise and have potentially serious consequences requiring urgent attention or investigation
3	Medium risks that are likely to arise or have serious consequences requiring attention
4	Minor risks and low consequences that maybe managed by routine procedures
5	Use this to note a risk that does not apply to your organisation

Once a risk priority has been determined the committee can consider the level of risk treatment and action required for each risk.

3. Risk Treatment (action plan)

This stage is all about identifying and testing strategies to manage the risks which have been identified and subsequently evaluated as posing a real risk to participants. Ideally officials will work together to brainstorm a variety of treatment strategies and then consider each strategy in terms of its effectiveness and implementation. This will necessarily involve some “reality testing” of risk treatment strategies as officials determine what reasonable steps they may take to reduce the impact of the risk arising.

If your club has assessed a risk and the risk has rated highly you will need to carefully consider necessary policies, procedures and strategies to treat the risk. These will include what is needed to treat the risk, who has the responsibility and what is the timeframe for risk management. These elements will comprise your action plan. If your club already has a strategy in place to address or manage an identified risk, insert details of that strategy in the space provided. If not, you will have to devise a strategy.

4. Monitor and Review

It is very important that officials review the risk management plan at the end of the competition, activity, program or season. The risk management plan should be a fluid document which is regularly updated to take account of changes within the club.

The keeping of records, and the continued evaluation of the risk management plan in the light of such records is crucial. Your risk management procedures should include the documentation of any accidents, as well as information on the effectiveness of the risk management plan. Statistics on continuing injuries or accident occurrences should be used to determine whether there are specific activities that require either increased precautions or supervision.

Your risk management plan cannot remain static. Risks can change according to changes in the law, development of safe practices and techniques, and developing technology in the sport of sailing. Constant evaluation and updating must be done to take account of developing trends and the organisation’s own experience.

5. Communication

It is essential that all club members and participants in club programs are aware of the risk management program and are consulted in its development, implementation and evaluation.

Membership of yacht clubs is constantly changing and as such the clubs should ensure that new members are introduced to the risk management policy and obligations as part of their induction into club life. Similarly, entrants in competitions and races who are not members of your club should also be made aware of the club’s risk management procedures and any rules with which they must comply.

PLEASE NOTE this Resource is a guide. The risks which have been included under the respective Risk Categories in the following Risk Management tables were identified by volunteer club officials in a workshop convened by Yachting Victoria. There will be circumstances where risks which are particular to your club’s sailing activities may not have been addressed. Space has been provided for you to identify and address these.

YACHTING VICTORIA - CLUB RISK MANAGEMENT TABLES

Potential Risk	Likelihood	Severity	Risk Rating	Treatment	Resources	Responsible Person	Time-frame
On Water							
Collision of boats during race resulting in personal injury	C	B	2	Clear pre-race instructions Limit number of entries Training of competitors in race rules		Senior Race Officer	Prior to Regatta
Fire/explosion on Rescue Craft resulting in personal injury to crew.							
Seasickness of rescue craft personal resulting in not being able to provide effective rescue capabilities.							
Hypothermia contracted by sailors and race officials.							
Difficulty in attending to a medical emergency / injury occurring mid-race resulting in exacerbation of injury.							
Collision of boat with submerged object resulting in personal injury							
Persons lost at sea as a result of insufficient safety equipment.							
Unforeseen severe weather changes (including squalls, electrical storms) resulting in sailors and officials being exposed during events.							
Inexperienced or disabled boats running aground or being lost due to navigational problems.							
Mechanical breakdowns / gear failure resulting in not being able to provide effective rescue capabilities.							
Sunstroke / sunburn / dehydration to sailors and /or officials.							
Participant boats in danger of collisions with shipping traffic.							

Potential Risk	Likelihood	Severity	Risk Rating	Treatment	Resources	Responsible Person	Time-frame
Dangerous surf conditions resulting in capsizing, personal injury or inability of boats to get off beach.							
Injury to officials, sailors or other water users from rescue and race official boat propellers.							
Lack of safety / rescue equipment by race / event organisers.							
Personal injury to swimmers where collision with competitor or official boats either on-course or heading to course							
Collisions with PWC's and other craft resulting in personal injury.							
Insufficient supervision of juniors in training exercises resulting in accidents or person injury.							
Failure to conduct pre and post event boat counts resulting in missing personnel.							
Collisions between craft of different classes in multi-class events.							
Personal injury to sailors competing / participating in boats of poor repair or insufficient capability.							
Personal injury to selves or others as a result in inexperienced sailors participating beyond their capacity.							
Loss of communications resulting in not being able to provide effective rescue services.							
Other Local Risks:							

Potential Risk	Likelihood	Severity	Risk Rating	Treatment	Resources	Responsible Person	Time-frame
Pre & Post Sailing							
Improper use of crane resulting in injury to race participants	B	C	2	Only trained personnel to use equipment Club will conduct training of personnel Club will roster trained personnel on duty		Equipment Officer	Pre-season
Ramp Condition - becoming slippery - risk of personal injury.							
Theft or damage of participants boats or gear due to poor security or storage of equipment.							
Personal injury to sailors and public or property damage arising from persons and vehicles passing through rigging areas							
Equipment left lying around posing risk of injury to persons using area.							
Placing heavy equipment and boats high up in storage racks resulting injury or damage during retrieval.							
Sailors leaving rigging trailers on roads unsecured causing damage to vehicles, trailers, sailors themselves and public.							
Inexperienced or careless persons re-fuelling power boats resulting in burns and property damage.							
Failure of participants to use and/or officials to check sign-off sheets resulting in missing person going unnoticed.							
Personal injury and property damage arising from rigging accidents such as falling masts, wire under tension, etc...							
Needle stick injuries to sailors in launching and rigging craft on uncleaned beaches.							
Inaccurate interpretation of weather reports resulting in sailors heading out to sea in dangerous conditions.							

Potential Risk	Likelihood	Severity	Risk Rating	Treatment	Resources	Responsible Person	Time-frame
Careless loading / unloading and laying of course equipment may result in specific and chronic injuries to officials.							
Inadequate compliance checks conducted on boats participating in club activities.							
Poor handling of disputes and grievances resulting in dissatisfaction amongst sailors and potential legal exposure.							
Other Local Risks:							

Potential Risk	Likelihood	Severity	Risk Rating	Treatment	Resources	Responsible Person	Time-frame
Environment							
Injury to sailors and non-sailors in boat park from unfastened equipment.	C	C	2	Restrict access to boat park to those people requiring access where possible Clearly designate rigging areas & enforce rule	Signs, duty officers	Property Officer	Pre-race season
Non-compliance with OH&S regulations resulting in penalties and exposure to personal injury claims.							
Insufficient differentiation in storage of equipment for junior and senior members resulting in personal injury or property damage.							
Inadequately licensed or trained persons given access to or charge over the operation of mechanical equipment such as tractors, winches, cranes, etc...							
Insufficient fire safety measures in place such as supply of extinguishers and communicated fire drill procedures.							
Risk of personal injury to workers and members arising from poor scaffolding in boat yard.							
Electrocution of sailors and public as a result of low overhead power lines in rigging / public areas.							
Unsuitable storage of rescue and safety gear resulting in poor repair and subsequent failure when used by officials or participants.							
Member, public and boat access points to the club in disrepair or unsafe condition leading to personal injury / property damage.							

Potential Risk	Likelihood	Severity	Risk Rating	Treatment	Resources	Responsible Person	Time-frame
Risks associated with use of club social facilities for functions by members and public (requires further in-depth risk assessment by appropriate club personnel).							
Environmental damage and subsequent liability resulting from inappropriate maintenance of drainage & effluent.							
Insufficient attendance to spills and breakages which may cause to injury to persons using the club premises.							
Other Local Risks:							

Risk Identification	Likelihood	Severity	Risk Rating	Treatment	Resources	Responsible Person	Time-frame
Personnel							
Harassment of participants / members from officials or other participants / members.	C	C	2	Develop Member Code of Conduct Promote Code and educate Members	Code of Conduct	Club Committee	30/11/01
Poor tracking of fleet by tower officials during races resulting in missing boats, poor race management or incorrect results.							
Failure by tower officials to deploy rescue boats as required by emergency circumstances.							
Incorrect or inadequate provision of personal information of junior participants by parents.							
Parents abusing or harassing officials, members and other participants due to dissatisfaction with procedures or results.							
Appointment of inexperienced Race Officer resulting in poor decision-making.							
Insufficient support for Race Officer (RO) resulting in too many responsibilities placed on RO and subsequent possible neglect of duties.							
Appointment of insufficiently trained or qualified volunteers into key officiating positions resulting in poor decision-making.							
Appointment of unqualified or insufficient competent coaches resulting in poor instruction to participants.							
Poor planning by coaches of training sessions resulting in insufficient supervision of juniors or dangerous activities due to weather changes.							
Insufficient consideration of abilities, health and needs of different age groups in planning on-water activities resulting in personal injury.							
Poor promotion of emergency procedures and contact numbers to club members.							

Risk Identification	Likelihood	Severity	Risk Rating	Treatment	Resources	Responsible Person	Time-frame
Lack of appropriately trained or qualified first aid officer(s) present during conduct of club activities resulting in poor injury management.							
Poor communication to emergency service providers of club location and access details resulting in delay in emergency treatment.							
Lack of appropriate first aid equipment readily available to treat injuries or accidents as they occur.							
Poor induction of officials and communication of responsibilities and duties of key officials resulting in confusion and possible neglect of tasks.							
Insufficient provision of training to key club officials resulting in poor decision-making and club management.							
Possibility of post-traumatic stress for volunteers involved in serious accidents / emergencies.							
Poor food management and handling procedures in catering and canteen areas of club may breach regulations (more in-depth risk assessment required by appropriate club personnel).							
Other Local Risks:							

YACHT CLUB RISK TREATMENT PLAN

RISK CATEGORY:	[insert relevant category ie. On-water, Environment, Personnel etc]	Ref: [cross reference to Risk Audit & Action Plan]
RISK IDENTIFIED	[as per Risk Audit & Action Plan]	Risk Rating: [1 and 2 risk ratings must have risk treatment developed]
Responsible Group / Person:	[insert group / individual]	
Pre-emptive Actions: [what steps will be taken to minimise the risk arising in the first place?]		
Proposed Response: [what steps will be taken if the risk does arise?]		
Resource Requirements: [what resources are required to treat the risk? ie human, financial etc]		
Time Frame (for pre-emptive actions to be completed by):		
Anticipated Risk Period (for which the proposed response is applicable):		
Compiled By:		Date:
Reviewed By:	Risk Manager of Club	Date: