

# CLUB GUIDE





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SECTION 06

RISK MANAGEMENT

## 6.1 INSURANCE

It is vital that surf lifesaving clubs protect their assets with adequate insurance. Surf Life Saving Western Australia has arranged an insurance program to provide benefits to those registered members of Surf Life Saving Western Australia. Member's registration fees contribute to these Insurance Policies, which provide coverage for all affiliated Clubs.

### When are you Covered?

Members are covered by the SLSWA Insurance Policy when engaging in the following activities:

- Approved surf lifesaving operations
- Approved Training and preparatory activities genuinely related to those operations
- Approved Fundraising – being activities duly authorised under arrangements approved by SLSWA Inc.

### What is Covered?

The coverage incorporates:

1. Public Liability
2. Professional Error & Omissions Liability
3. Personal Accident

Please note: Coverage for theft, loss, replacement of club assets, marine hull, building, employers liability is the responsibility of each club. This is not an exhaustive list, Clubs must determine their own needs. Cross reference your club's requirements with your respective lease commitments.

### 1) Public Liability

#### *Scope of Cover*

This policy provides indemnity for Insured entities and persons participating in Surf Life Saving sanctioned activities that are held liable for the negligent act that results in property damage or bodily injury anywhere in Australia. From time to time cover is extended to certain activities outside Australia.

#### *Limit of Liability*

The cover provided is up to maximum of \$20,000,000.

#### *Excess*

The policy has a \$30,000 excess with \$29,000 payable by the SLSA Insurance Fund and \$1,000 payable by the club.

### 2) Professional Error and Omissions Liability

#### *Scope of Cover*

Provides indemnity to the organisation/employees/members for actual or alleged breach of Professional Duty, which results in injury or property damage to a third party.

#### *Limit of Liability*

The cover is provided is up to a maximum of \$10,000,000.

#### *Excess*

Refer to Public Liability Section.

### 3) Personal Accident

#### *Scope of Cover*

Coverage applies whilst insured persons are involved in sanctioned Surf Life Saving activities. These activities include races, training, meetings, fundraising activities and travel to and from these activities in Australia.

This section provides cover for members aged between 5 and 75 years of age.



Saving Lives &  
Building Great  
Communities



## SECTION 06

## RISK MANAGEMENT

### 1) Death and Permanent Injuries

A lump sum benefit is payable in the event of a death or a Permanent Disability. The scale is defined in the policy. The maximum benefit is \$150,000

### 2) Non Medicare Medical Expenses

This covers insured persons for NON-MEDICARE medical expenses. The policy is for reimbursement only.

That is, the member must pay the account and then claim reimbursement under this insurance policy.

NOTE Only NON-MEDICARE items are claimable (i.e. the "Medicare gap" is not claimable due to government legislation)

The most common "Non-Medicare" expenses include:

- Private Hospital
- Ambulance
- Physiotherapy
- Dental
- Chiropractic
- Osteopathy

The most common Medical expenses that are covered by Medicare (i.e. not covered by this sports injury policy) include:

- Doctor's Fees
- Anaesthetist's Fees
- Surgeon's Fees
- X-rays

#### *Benefit*

Reimbursement up to 75% of Non-Medicare medical costs, up to maximum of \$5,000 per injury.

#### *Excess*

\$50 excess applies to each injury.

#### *Conditions*

- If a member belongs to a private health fund, they must claim from that fund first.*
- Non-Medicare medical costs are only reimbursed by this policy if incurred within 52 weeks from the date of injury.*

### 3) Loss of Income

This benefit provides cover for insured persons who are disabled from any injury relating to events covered and are unable to work.

#### *Benefit*

85% of your net weekly income up to a maximum of \$1,500 per week, whichever is the lesser.

#### *Excess*

14 days i.e. there is no benefit claimable for the first 14 days that you are away from work as a result of injury.

#### *Benefit Period*

104 weeks from the date of injury.

#### *Broken Bones Benefit*

This benefit provides cover up to \$5,000 for Broken Bones – as per Broken Bones schedule.

Further details relating to the above benefits as well as the policy conditions, are contained in the QBE Personal Accident Product Disclosure Statement & Policy Wording. To obtain a copy of the Wording, please contact Jardine Lloyd Thompson, Brisbane.



Saving Lives &  
Building Great  
Communities



## SECTION 06

## RISK MANAGEMENT

### IMPORTANT NOTES

1. This information is only a summary of the cover provided.
2. Surf Life Saving Western Australia has arranged this insurance program to provide benefits to those registered members of Surf Life Saving Western Australia who, through injury or accident, incur financial loss and who would otherwise not have received assistance. The program seeks to provide benefits to those most exposed and to maintain protection at the lowest possible cost to membership. It therefore cannot provide 100% cover or a benefit for every loss that occurs. Federal Government Legislation prevents insurance companies from paying any insurance benefit for a medical service that is covered by Medicare. This legislation also applies to the Medicare gap. In addition to these policies all members are encouraged to take out Private Health Insurance.
3. The insurer for Public Liability Program is Lloyds of London and the insurer for the Personal Accident program is QBE Insurance (Australia) Limited.

### Professional Error and Omissions Liability and Public Liability

In the event of a liability claim do not admit liability under any circumstances. Contact Brent Jaenke immediately to notify any incidents on:

Phone: (07) 3246 7532  
Fax: (07) 3246 7590  
Email: Brent.Jaenke@jlta.com.au

### What To Do When You Are Injured During Approved Surf Life Saving Activities

The claim process:

- Attend emergency medical treatment at a public hospital if the injury is deemed to be major.
- See your family Doctor as soon as possible for referral to a specialist and to receive and initial physicians report on your injury
- Contact your Club as soon as is possible to report your injury so that the injury can be recorded into an SLSWA Injury Report Form and the Club can undertake an incident investigation and report
- The incident must be recorded on the Incident Report Database in SurfGuard. A copy of the incident report must be submitted with the claim; your Club should complete this and provide you a copy
- If your injury is likely to require rehabilitation, ongoing treatment or prohibit you from undertaking normal occupational duties for more than 14 days you should complete a Personal Accident Claim form, so that a claim on SLSWA Personal Accident Insurance can be initiated with the insurers
- If your physician believes the injury is likely to prevent you from undertaking occupational duties for more than 14 days ensure they include this advice in their report
- Contact your Club or the Corporate and Legal Services Manager at SLSWA for a blank copy of a Personal Accident Claim Form. A copy of the claim form can also be downloaded from Jardine Lloyd Thompson's website: [www.jlta.com.au/slsa](http://www.jlta.com.au/slsa)
- Upon receipt of the claim form, complete the appropriate sections of the claim form. Once complete send the claim form to Jardine Lloyd Thompson as soon as possible. (refer contacts below)
- You should attach to the claim form, the physician report, medical treatment invoices incurred to date and a copy of the SLSA Incident Report Form
- You are advised to claim from Medicare and private Health Insurance policies (where held) in the first instance
- Send all receipts and private health Insurance Statements to Jardine Lloyd Thompson
- Read the Personal Accident Claim Form Cover, which is available to download from [www.jlta.com.au/slsa](http://www.jlta.com.au/slsa) to gain an understanding of the exclusions that apply to the SLSWA Personal Accident Policy and where appropriate discuss with the Broker
- Complete all treatment. You should complete all prescribed treatment keeping all receipts of treatments received and paid for
- Prior to returning to lifesaving activity and duties receive a clearance from your treating specialist or physician and provide this written advice to your Club. Where restricted duties are possible the limit of these restrictions should be advised and discussed with your Club



Saving Lives &  
Building Great  
Communities



## SECTION 06

## RISK MANAGEMENT

To ensure a positive outcome in the processing of a claim the SLSWA Broker advises the following;

1. Under the Australian Health Insurance Act, SLSWA are NOT permitted to contribute to any charges covered by Medicare.
2. All claims must be notified within 30 days after an accident occurs. The claim form must be lodged within 90 days with Jardine Lloyd Thompson.
3. All medical expenses must be incurred within 12 Calendar months of sustaining the injury.
4. All services must be obtained from a legally qualified practitioner, Hospital and/or Ambulance Service.
5. That where private health insurance is held by the member a claim against this policy must be initiated and based on the injury claim and physician report the insurers will determine if any costs will be met by them in relation to treatment or rehabilitation costs and any other out of pocket expenses.

### Key Contacts:

1. Corporate and Legal Service Manager  
Surf Life Saving Western Australia  
Email: [mail@sلسwa.com.au](mailto:mail@sلسwa.com.au)  
Phone: (08) 9207 6666  
Fax: (08) 9207 6699
2. Brent Jaenke  
Jardine Lloyd Thomson Australia GPO Box 741  
Brisbane QLD 4001  
Email: [Brent.Jaenke@jlta.com.au](mailto:Brent.Jaenke@jlta.com.au)  
Phone: (07) 3246-7532  
Fax: (07) 3246 7590

Once you have submitted the claim, Mr Brent Jaenke, will directly liaise with you regarding the progress of the claim. SLSWA recommends that you maintain copies of all correspondence between yourself and the insurers.





Saving Lives &  
Building Great  
Communities



SECTION 06

RISK MANAGEMENT

## 6.2 OCCUPATIONAL HEALTH & SAFETY

Surf Life Saving Western Australia is an organisation dedicated to the safety, health and well-being of its members, employees and the community in general.

### Risk Management

Risk Management is the systematic application of management policies, procedures and practices to the task of managing risk. Risk Assessment and Management is discussed in the *Guidelines for Safer Surf Clubs, Version 2 (2008/09)*<sup>1</sup>.

### Occupational Health and Safety

Creating a culture change is not always easy, it involves a clear commitment by management at all levels. Creating a positive culture towards health and safety of volunteers, staff and the public is not only a legal requirement (as set out in the Health and Safety legislation), but also a moral duty on those in charge and within leadership positions.

It is of the utmost operational importance to SLSWA. SLSWA exists as a life saving organisation and therefore endeavours to assure the very highest standards of health and safety for all volunteers and staff, as well as anyone else that may be affected by what we do.

Health and safety has to be managed and everyone has a role. While we look for guidance from our management teams it is the Patrol Captain, Chief Training Officer and Club Health and Safety Officer, to name a few, that are in the true leadership roles as they implement safety arrangements during the day to day conduct of SLS activities.

Health and safety is also not a separate issue to be managed, but is an integral part of all SLSA activities. Any decision or action taken will affect the health and safety of volunteers, staff and third parties. All SLSA Operational Procedures will have health and safety implications when employed.

Health and safety in the real world of the SLSA is centered on the actions taken by our members day to day to ensure ongoing safety. The ultimate goal is to have a culture of safety in any decision, that all members have front of mind that SAFETY COMES FIRST!

### Obligations

As an employer and controller of the workplace, your Club is responsible for the Health and Safety of all employees, volunteers and persons being on your premises.

#### *Duty to volunteers*

Volunteers are persons doing work for no gain or reward and they are afforded protection under the common law and WA statutory laws<sup>2</sup>. As an employer and a controller of the activities of the Club, your Club must, where it is reasonably practicable to do so:

- Make sure the volunteers know how to carry out their activities safely
- Ensure work areas under the Clubs/employers control are safe
- Ensure the work of the employees (contractors, sub-contractors and other working arrangements) does not harm the safety and health of the volunteers

#### *Duties of the employer*

Employers must, so far as is practicable, provide and maintain a working environment where their employees are not exposed to hazards. These duties include:

- Safe systems of work
- Information, instruction, training and supervision
- Consultation and co-operation
- Provision of personal protection
- Safe plant and substances

<sup>1</sup>. [www.slsa.asn.au](http://www.slsa.asn.au) can be found under the secure resources section of this website

<sup>2</sup>. Section 21 Occupational Safety and Health Act 1984



Saving Lives &  
Building Great  
Communities



## SECTION 06

## RISK MANAGEMENT

*Note: Occupational Health and Safety duties under WA law apply to a body corporate as if it were the employer of a particular person. Therefore, a body corporate owes the same duties as the above employer. (See Director's duties also)*

### *Duties of persons who have control of workplaces*

People who have, to any extent, control of a workplace must ensure, so far as is practicable, that the workplace and all entrances and exits are safe so that people may enter, leave and use the workplace without exposure to hazards.

The duty applies to a person who has any control of:

- A workplace where persons who are not employees of that person are likely to be in the course of their work
- The means of access to and egress from a workplace

### Reasonably practicable

If something is practicable, it is 'reasonably practicable', taking into account:

- The severity of any injury or harm to health that may occur
- The degree of risk (or likelihood) of that injury or harm occurring
- How much is known about the risk of injury or harm, and the ways of reducing, eliminating or controlling the risk
- The availability, suitability and cost of safeguarding against the risk of injury or harm

*Note: Refer to the Guidelines for Safer Surf Clubs, Version 2 (2008/09)<sup>3</sup> to assist and guide your Club in understanding what is required to meet the above obligations.*

### **Resources**

There is a range of health and safety resources for members involved in surf lifesaving activities. The 'Guidelines for Safer Surf Clubs' gives members' detailed information on health and safety matters in surf life saving clubs. These guidelines cover procedures, forms and direction on health and safety issues. Several other resources also accompany this series including an online Health and Training course (accessed via Lifesaving Online), member information brochure and various awareness posters and stickers. These resources can be found in the Secure Resource Library on the SLSA Member Portal.

The Australian Coastal Public Safety Guidelines provide a useful resource for club management on safety and wellbeing in a coastal and beach environment <sup>4</sup>.

A range of policies and procedures for members involved in surf lifesaving activities can be found on the SLSA Member Portal. A current register of SLSA Policies is listed below. Keep an eye out as policies change and new ones are posted from time to time. Clubs should ensure that they monitor any policy or resource changes on the Member Portal and communicate relevant information to their membership.

<sup>3</sup>. [www.slsa.asn.au](http://www.slsa.asn.au) can be found under the secure resources section of the SLSA member portal

<sup>4</sup>. These guidelines can be access at [www.slsa.asn.au](http://www.slsa.asn.au) under the Guidelines section of the Member Portal



Saving Lives &  
Building Great  
Communities



SECTION 06

RISK MANAGEMENT

## 6.3 MEMBER PROTECTION

Surf Life Saving is committed to providing a safe environment for its members, which is free from harassment and abuse, and promotes respectful and positive behaviour and values.

The SLSA Member Protection Policy (Policy 6.5) provides a code of conduct (provided below) forming the basis of appropriate and ethical conduct, which everyone must abide by. This includes members in both volunteer and paid capacities. It is essential to maintain the health and well-being of its members and the community it services.

The policy is designed to complement the strategies practiced in WA Clubs and is an essential part of our organisation's proactive approach to tackling inappropriate behaviour. Anti-Harassment, Complaints, Child Protection and Pregnancy policies are among the key components supporting the Member Protection Policy.

### Child Protection

Keeping children and young people safe is part of SLSWA's broader responsibility to manage risks within our surf clubs.

SLSWA has created a process outlined in our Member Screening Policy that all clubs must adhere to. Please refer to section 9.7 for details. This will help your Club create a safer, friendlier environment for kids. This is a risk management procedure for all clubs and must be completed on an annual basis.

### Grievance Procedure

The Surf Life Saving Australia (SLSA) Grievance Procedure information will assist you with actions that may be taken when a complaint has been made in regards to an act, behaviour, omission, situation or decision that someone thinks is unfair, unjustified, unlawful and/or a breach of this policy. The complaint may be about individual or group behaviour; extremely serious or relatively minor; a single incident or a series of incidents; and the person about who the allegation is made may admit to the allegations or deny them.

Surf Life Saving Australia Policy 6.6 – Grievance Procedure outlines what to do if you have a grievance and provides additional information such as kinds of remedial action that is available. Another policy that may be read in conjunction with the Grievance Procedure is Policy 6.5 the Member Safety and Wellbeing Policy. Section 6 of the SLSA Regulations also provides guidance on the judiciary and disciplinary procedures that are to be followed. This should be reviewed in consultation with the Club's Constitution and Regulations.

If the matter is not dealt with to your satisfaction of the member then they should speak with the Club Grievance Officer or President. All serious breaches of discrimination and harassment (such as sexual abuse) should be reported directly to the SLSWA CEO immediately.

### References

- Surf Life Saving Australia – Member Safety and Wellbeing Policy
- Surf Life Saving Australia – Grievance Procedure
- Surf Life Saving Australia Regulations