

RUNNING THE RISK?

RISK MANAGEMENT TOOL FOR
VOLUNTEER INVOLVING ORGANISATIONS

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facs making a difference


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Disclaimer

This risk management booklet is intended to provide general and useful information. However, it is not proposed to be comprehensive legal advice. Readers are advised that before acting on any matters arising in this risk management booklet, they should seek specific legal advice about their situation.

Case Study: 1 The Volunteer Performer and the Ironing Board

Case Study: 2 The Sleeping Board Members

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Case Study: 1 The Volunteer Performer and the Ironing Board

A not-for-profit touring theatre company was engaged by an arts promoter to perform Emma Celebrazione, a musical play, in over 22 regional venues. The theatre company was paid a flat fee for its performances and the arts promoter kept any profits.

In each regional centre, volunteers were recruited locally to act as extras and as a chorus. Mary was a member of an association which performed and preserved traditional Italian dance. She was invited to be a chorus member by an employee of a regional theatre (not the touring theatre). She came under the direction of the stage manager of the touring theatre company.

After being in existence for many years, the touring company had become an incorporated association in 1996. It staged professional productions and, as a rule, involved no volunteers in any onstage or backstage capacity. Volunteers usually sold tickets or worked as ushers and did not perform or work on set construction.

The cast pressed their costumes using an iron and ironing board owned by the local theatre. They used their own spray-on ironing aid. The ironing board was set up on a highly polished lino floor and some of the spray-on ironing aid had fallen on the floor during ironing. As Mary approached the ironing board, she slipped and fell backwards and sideways. She put her right hand out to break her fall and injured her right wrist.

Mary sued both the regional theatre and the touring theatre company. The arts promoter was not sued.

The judge found that Mary had slipped on residue from the spray which had reached the floor, and that it was matter of 'commonsense and experience' that some spray was likely to fall on the floor and that it would make the floor slippery.

The judge found that the fact that Mary was a volunteer made no difference to the company's duty of care.

The judge found that the theatre company had a duty to keep the workplace safe, that it had failed to do so, and that there were several things it could easily have done to prevent the accident and the damage. The judge found that the regional theatre management should also have foreseen that there was a risk of the accident happening.

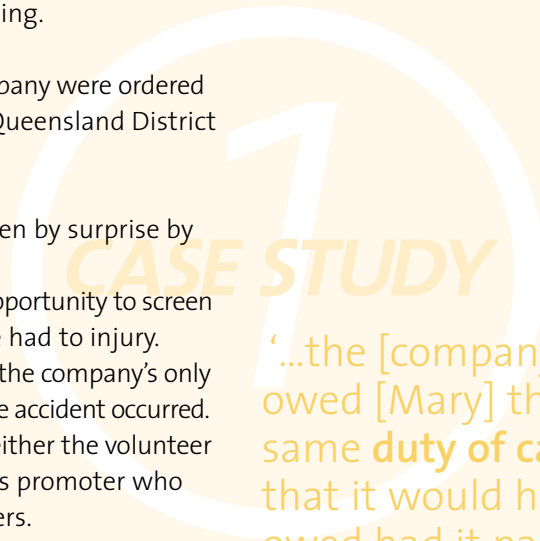
Both the regional theatre and the touring theatre company were ordered to pay damages to compensate Mary for her injury. [Queensland District Court, Case No. 113 of 1999]

The touring theatre company's management was taken by surprise by the judgment for several reasons:

- a) The company did not engage the volunteer, had no opportunity to screen her nor to screen any pre-disposition she may have had to injury.
- b) The venue was provided by the regional Council and the company's only opportunity to inspect the venue was briefly before the accident occurred.
- c) The company had no contractual relationship with either the volunteer or the regional Council. It was the intermediary arts promoter who had contracted with over 22 regional venue providers.
- d) The involvement of volunteers in any aspect of the company's productions was extremely rare. It was also rare for the company not to have full control over all aspects of a production. The company had no adequate processes and policy for transferring and managing unexpected risks in an unknown physical environment over which it had little control.

Outcome

The touring theatre company has addressed the risks highlighted by the incident. In the main it has chosen to avoid the risk – it has not involved any volunteers since in either touring or local productions in a similar capacity.



'...the [company] owed [Mary] the same **duty of care** that it would have owed had it paid her... she was in **the same position** as an **employee.**'

Case Study: 2 The Sleeping Board Members

The National Safety Council Victoria Division (NSC) was a company limited by guarantee incorporated in 1928. It was formed by a coalition of Victorian not-for-profit agencies with the charitable object of promoting safety awareness, particularly industrial safety. Membership of the company was open to all willing to subscribe to the constitution and pay an annual subscription of one guinea. Members of the company guaranteed to each pay one guinea (\$2.10) if the company was wound up and unable to pay its debts. All members had an equal vote to elect a council of five members and 42 specified organisations had the right to appoint a representative to the council. The specified organisations included a range of government agencies (police, fire service, railways) and not-for-profit organisations such as chambers of commerce, car clubs, trades unions and some private companies (eg. Ford). The Council appointed an executive committee consisting of a President and representatives from 14 named associations.

The NSC carried out safety awareness programs which initially emphasised the workplace, but expanded to road and leisure activities. It was funded through government grants and industry contributions, relying on volunteers to perform most of its functions. In 1962 the Council fostered the establishment of similar organisations in the other states of Australia which became separate corporate entities. It was at this time that the NSC began to conduct a safety service to industry, specialising in on-site training and safety auditing. In 1979 it purchased a fire tender and began to develop emergency services.

In 1982 under the charismatic leadership of its chief executive, John Friedrich, the organisation expanded into providing unusual forms of search and rescue. Its expansion was funded through commercial loans from financial institutions. The loans were secured against rescue equipment contained in sealed containers as arranged by the CEO. Most containers were empty and so the security was illusory, and the loans obtained fraudulently. The accounts of the organisation were also tampered with to show a better position, often in the form of illusory debtors. There is also a suggestion that auditor's reports qualifying the accounts were tampered with by the chief executive before being presented to the board and lenders.

Over a number of years the popular press signaled the possibility of a fraud. These articles later proved to have been fairly accurate. As early as 1986 the *Bairnsdale Advertiser*, a local paper, outlined extensive misgivings about the financial status of the NSC, while in August 1988 Channel 10's *Page One* expressed concerns about the Council and its operations. A large feature article in the *Sydney Sun Herald* by Wendy Bacon in October 1988 noted that the company's accounts were puzzling, it was unaccountable to the public, and discrepancies existed between equipment purchased and income received.

The matter was brought to a head when the board requested an independent financial assessment and the chief executive fled. The company was placed into liquidation owing about three hundred million dollars.

The trial judge found that the company had been insolvent for nearly five years and that this could have been 'fairly easily appreciated by an adult person of normal intelligence who had a general knowledge of the company's activities and an inclination to consider the accounts and auditor's report for half an hour.'

Some other findings of the judge were:

- out of 18 board meetings held in one period, at 11 meetings there were no accounts of any kind provided or discussed;
- in another period, apart from the annual accounts, no accounts had been discussed at a board meeting for almost a year;
- no annual meeting was held in one year;
- copies of accounts and reports were not sent to members before annual meetings;
- no financial controller was appointed as required by the company's constitution; and
- the CEO was not properly supervised or monitored by the board.

The directors were sued in the civil courts for debts incurred whilst the company was insolvent. A settlement was negotiated with all directors except the chairman of the company. The chairman was found liable to pay some \$97 million to creditors. The executive officer faced several serious criminal charges but committed suicide on the eve of the trial. The auditors were sued by the liquidator, who claimed professional negligence in the sum of \$256 million. Again the matter settled out of court. It was reported that the auditors settled for \$2 million without admitting liability.

As well as managing risks responsibly, committee members and boards may need to ensure that there is an appropriate legal compliance plan in place to ensure absolute compliance with the law such as timely production of annual accounts and reports, attention to scrutinising annual accounts and monitoring the activities of senior staff and the organisation generally.

For further information about this case, see *Commonwealth Bank of Australia v Friedrich* (1991) 9 ACLC 946; 5 ACSR 115, and M. McGregor-Lowndes, 'Not-for-profit Corporations – Reflections on Australia's Largest Not-for-profit Insolvency', *Australian Journal of Corporate Law*, Vol. 5, No. 4, 1995, pp. 417-441.

Volunteer committee members and directors have the same duties and responsibilities as paid directors and face similar consequences for defaults. These risks must be managed responsibly.

Volunteers form the backbone of the lifesaving movement and it is important that they are **free from unacceptable risks** and being party to litigation.

Case Study: 3 The Volunteer Lifesaver and the Dangerous Rubber Duckie

Surf Life Saving Queensland (SLSQ) is a not-for-profit association assisting Queensland Surf Life Saving Club branches, and is also a member of the National Surf Life Saving Association.

Like many other not-for-profit organisations, the association and its branches have been under pressure from the public liability insurance crisis. This is highlighted by a number of recent public cases where injured surfers are suing rescue authorities.

Research to identify its risks found that 40% of all insurance claims in recent years were for injuries to members caused by the use or inappropriate design of inflatable rescue boats (IRBs). The association realised that it would be at risk in a number of ways if it did not deal with the IRB problem.

Managing the risks posed by the IRBs was clearly a priority for the organisation. A committee worked through a risk register and risk treatment schedule and prepared a risk action plan (see the following pages) which is being implemented. The plan will develop over time as new national risk management strategies become approved.

Risk Register

FUNCTION/ACTIVITY *Use of Inflatable Rescue Boats (IRBs)*

COMPILED BY
REVIEWED BY

DATE
DATE

THE RISKS – WHAT CAN HAPPEN AND HOW	CONSEQUENCES OF AN EVENT HAPPENING		ADEQUACY OF EXISTING CONTROLS	CONSEQUENCE RATING	LIKELIHOOD RATING	RISK RATING
	CONSEQUENCES	LIKELIHOOD				
<i>Physical safety and welfare of members</i>	<i>Personal injury</i>	<i>High</i>	<i>Not considered adequate – state, local and national approach required</i>	<i>High</i>	<i>High</i>	<i>High</i>
<i>Financial loss to the body from claims by members for foot and knee injuries and more serious outcomes</i>	<i>Financial</i>	<i>Medium/High</i>	<i>As above</i>	<i>High</i>	<i>High</i>	<i>High</i>
<i>Reputational damage – damage to key sponsorships and relationships with funding bodies and the ability to attract and retain members</i>	<i>Financial and loss of public trust</i>	<i>High</i>	<i>As above</i>	<i>High</i>	<i>High</i>	<i>High</i>
<i>Personal financial and reputational risk to committee members and senior management</i>	<i>Harm to reputation of members. Leading members of business community of board could also suffer</i>	<i>High</i>	<i>Directors' & Officers' insurance policies in place, but expensive.</i>	<i>High</i>	<i>High</i>	<i>High</i>
<i>Insurance risk – events and competitions may become uninsurable and ongoing workers compensation increase in cost</i>	<i>Insurance coverage becoming dependent upon appropriate risk management strategies in place. Higher cost or unavailable.</i>	<i>High/Medium</i>	<i>Insurance unaffordable where risk not properly managed.</i>	<i>High</i>	<i>High</i>	<i>High</i>

Risk Treatment Schedule and Plan

FUNCTION/ACTIVITY Use of Inflatable Rescue Boats (IRBs)		COMPILED BY	DATE	REVIEWED BY	DATE		
RISKS IN PRIORITY ORDER (FROM RISK REGISTER)	TREATMENT OPTIONS	PREFERRED OPTIONS	RISK RATING AFTER TREATMENT	COST/BENEFIT ANALYSIS RESULT (ACCEPT/REJECT)	PERSON RESPONSIBLE FOR IMPLEMENTATION	TIMETABLE FOR IMPLEMENTATION	HOW TO MONITOR THE RISK AND THE TREATMENT OPTIONS
Physical safety and welfare of members	Avoid/ Manage risk	Avoid risk for events	Low	Accept	CEO	Immediately	Workplace Committee and IRB Committee
As above	As above	Manage risk for operational rescues	Medium	Accept	CEO	Ongoing	As above
Financial loss to the body from claims by members	Manage risk	Reduce incidence of injuries by: i) Improve training; ii) Change awards structure to reward safety aspects of competition; iii) Change qualifications to operate IRBs – new Crewperson Certificate; iv) Change event rules – no modified craft to be allowed; v) Change design of craft – new twin hull currently being designed.	Medium	Accept	CEO	Immediately Ongoing	Workplace Committee and IRB Committee
Reputational damage (affecting sponsorships, funding, membership)	Manage risk	Media liaison person and use of website and materials to show community that action is being taken	Medium	Accept	CEO	Ongoing	Risk Management Subcommittee/Workplace Committee
Personal financial and reputational risk to committee members and senior management	Manage risk	Ensure Directors' and Officers' coverage is as complete as possible; board to closely scrutinise risk	Medium	Accept	CEO/Board	Ongoing	Risk Management Subcommittee/Workplace Committee
Insurance risk – increased cost and/or loss of cover	Manage risk	Negotiations and close relationship with insurer	Medium	Accept	CEO/Board	Ongoing	Risk Management Subcommittee/Workplace Committee

Risk Action Plan

FUNCTION/ACTIVITY *Use of Inflatable Rescue Boats (IRBs)*

PERSON RESPONSIBLE *CEO*

DATE

REVIEWED BY *Workplace Injuries Management Team and*

DATE

Australian IRB Review Committee

RISK

Injuries to members and volunteers when using inflatable rescue boats (IRBs) in events and rescues

RECOMMENDED RESPONSE AND IMPACT

- a) avoid the risk for events until Australia-wide risk management strategies put in place*
- b) manage the risk for rescues as there are currently no acceptable alternatives to IRBs*
- c) seek a national approach with common standards across Australia*

RESOURCE REQUIREMENTS

To be calculated

RESPONSIBILITIES

CEO

TIMING

As a priority

REPORTING AND MONITORING REQUIRED

CEO to Workplace Injuries Management Team

Local branches to report on standard form to CEO of State body

PROPOSED ACTIONS

- a) Establish a state-based Workplace Injuries Management Team which holds regular meetings to review workplace issues, and take out Workcover for members;*
- b) Establish Australian IRB Review Committee – also an ethics committee has sent out people to watch how IRBs are used and operated;*
- c) Outcomes:

 - i) Improve training;*
 - ii) Change awards structure to reward safety aspects of competition;*
 - iii) Change qualifications to operate IRBs – new reaccreditation structure with establishment of Crewperson’s Certificate;*
 - iv) Changes to how events are run with modified rules – no modified craft are to be allowed;*
 - v) Major changes underway to design of craft – new twin hull craft currently being designed.**
- d) The outcome of the review has been to avoid the risk by banning IRBs for national competitive IRB racing until all states come up to the new standards but managing the risk for rescues as there is currently no alternative to the IRBs. Thus, IRBs are still used for operations;*
- e) All state bodies to report details of any injuries on standard forms for consistent and efficient collection and input of data;*
- f) Appoint media liaison person and use of website and materials to show community that action is being taken;*
- g) Negotiate and maintain close relationship with insurer*

Where patrons' **welfare** is at risk, the risk cannot be left untreated.

Case Study: 4 Volunteer Food Delivery

Meals on Wheels delivers pre-packed meals at home to the elderly and in some cases to the disabled. Deliveries are made by volunteers using their own vehicles.

There are many associated risks, including those involving cars (accidents) and food preparation (cuts, burns, lifting strains). There is also the risk of injury to patrons if the food is not prepared, stored, transported and then consumed or stored appropriately. Food Standards Australia and New Zealand estimate that there are 7 million cases of food poisoning annually in Australia. The consequences of food poisoning for frail, elderly or disabled patrons of Meals on Wheels could be very serious.

Risks also arise when the patron is not at home when the meal is actually delivered.

- 1 If the meal is left outside the door, it could be tampered with by animals or other people.
- 2 Danger posed by heated granite plates left by drivers to keep food hot. Heated granite plates are used in eskies to ensure food is delivered at correct temperature. Volunteers have protective holders to avoid burns.
- 3 It is not acceptable to leave food with neighbours without having arranged this with the patron or vetted and instructed the neighbours beforehand. Transfer of such a risk to neighbours without their knowledge or consent is inappropriate. Entering a neighbour's premises without permission has hazards, such as dog attacks.
- 4 Some patrons require special foods (for example, they are diabetic or allergic to certain foods). The normal risk management procedure is for the deliverer to check with the patron that the correct food is being delivered. This cannot be done if the patron is not present.

Here is how one Meals on Wheels unit has begun to deal with the specific issue of patrons not being present at the delivery of meals.

Risk Treatment Schedule and Plan

FUNCTION/ACTIVITY *Delivery of Food to the Elderly and Disabled when Patron absent* COMPILED BY _____ DATE _____
 REVIEWED BY _____ DATE _____

RISKS IN PRIORITY ORDER (FROM RISK REGISTER)	TREATMENT OPTIONS	PREFERRED OPTIONS	RISK RATING AFTER TREATMENT	COST/BENEFIT ANALYSIS RESULT (ACCEPT/REJECT)	PERSON RESPONSIBLE FOR IMPLEMENTATION	TIMETABLE FOR IMPLEMENTATION	HOW TO MONITOR THE RISK AND THE TREATMENT OPTIONS
<i>Possibility of animals or other humans tampering with food</i>	<i>Avoid risk/ Manage risk</i>	<i>Avoid risk</i>	<i>High</i>	<i>Reject</i>	<i>Manager</i>	<i>Immediately</i>	<i>Manager reporting to management committee</i>
<i>If drivers leave food with neighbours - food quality not assured - unacceptable to transfer risk to neighbours without their knowledge or consent</i>	<i>Avoid risk/ Manage risk</i>	<i>Avoid risk – cease activity</i>	<i>Low</i>	<i>Reject</i>	<i>Manager</i>	<i>Immediately</i>	<i>Manager reporting to management committee</i>
<i>Danger posed by heated granite plates left by drivers to keep food hot</i>	<i>Avoid risk/ Manage risk</i>	<i>Use other containers that can be used in the absence of volunteers or cold foods</i>	<i>Low</i>	<i>Accept</i>	<i>Manager</i>	<i>Immediately</i>	<i>Manager reporting to management committee</i>
<i>If food or recipient incorrectly named: - patron cannot correct at time of delivery, food wasted, cost incurred of return and replacement</i>	<i>Avoid risk/ Manage risk</i>	<i>Manage risk – patron to collect before or after the designated time – must advise the Center if going to be away or client still pays</i>		<i>Accept</i>	<i>Manager</i>	<i>Immediately</i>	<i>Manager reporting to management committee</i>
<i>- patron may be harmed by consuming wrong food eg. those with diabetes or allergies</i>	<i>Avoid risk/ Manage risk</i>	<i>Ensure delivery staff are trained and volunteers in the kitchen are aware of and follow processes</i>		<i>Accept</i>	<i>Manager</i>	<i>Immediately</i>	<i>Manager reporting to management committee</i>
<i>Continue packaging and delivering food – risk of breach of legislative requirements for food safety</i>	<i>Manage risk</i>	<i>Ensure containers comply with workplace health and safety legislation. Ensure volunteers and staff trained, policies in place and processes adapted promptly to minimise risks</i>	<i>Low</i>	<i>Accept</i>	<i>Manager</i>	<i>Immediately</i>	<i>Manager reporting to management committee</i>

Risk Action Plan

FUNCTION/ACTIVITY	Delivery of Food to the Elderly and Disabled when Patron absent	PERSON RESPONSIBLE	Manager	DATE	
		REVIEWED BY	Sub-committee or management committee	DATE	

RISK	Food quality cannot be assured when food left at premises in the absence of patron
RECOMMENDED RESPONSE AND IMPACT	Avoid the risk unless satisfactory risk management strategies are in place and accepted by patrons
RESOURCE REQUIREMENTS	<ul style="list-style-type: none"> a) Food wastage to be minimised b) Paid staff to assist drivers with process c) Management time to train drivers and staff d) Creation of written material for patrons and staff promoting the policies and procedures
RESPONSIBILITIES	Manager to oversee processes are followed
TIMING	To be implemented immediately
REPORTING AND MONITORING REQUIRED	<ul style="list-style-type: none"> a) Manager to report to management committee b) Sub-committee to be established to focus on reporting of risk incidents and risk management issues and to report to the board c) Risk management day
PROPOSED ACTIONS	<ul style="list-style-type: none"> a) No meals to be left outside the patron's home if they are not at home (even if an esky is provided); patron to pay if no one is at home to receive food; all undelivered food to be returned to the kitchen. b) Meals only to be left with neighbours by prior arrangement and only if neighbours know of and have accepted risks and there is no reason to suspect that the neighbour is unreliable – to transfer risk may be unethical practice and insurance may not cover any breach of duty in these circumstances. c) Patrons to make prior arrangement for collection of meal from the kitchen of the association earlier in the day, or after normal delivery time. d) Arrange for the delivery of an extra meal on the day before (only if previously negotiated and if practicable e.g. if food spoilage is not an issue) but ensure the patron places the meal in the fridge/freezer and record that this has occurred. e) Delivery volunteers to leave a note in patron's absence confirming the meal is at the kitchen for collection. Choose limited range of meals that are less susceptible to risk than a freshly cooked meal (e.g. if left out of fridge) such as cheeses and biscuits/prepackaged food. f) Ensure consistent mentoring of drivers as to their responsibilities by inductions and standards and proper screening of background of drivers; g) Create customised service delivery standards, but rationalise when relevant state or national standards on service delivery are developed. <p>continued next page</p>

PROPOSED ACTIONS CONTINUED

- h) Inductions and formal training at regular times. Development of consistent training materials and trainers. Ensure competencies appropriately assessed after training workshops – certificates given. Training and change management options:*
 - Online assessment – multiple choice questions – done at volunteer's own time – computer access at body or library or state offices if volunteer does not have computer access – in 15-minute segments;*
 - Raise awareness and get/buy in from staff – hold 'Food quality and service delivery' competitions – compete with other area bodies – gain media publicity;*
 - Simulations of best practice – state body to create videos on 'dos' and 'don'ts';*
 - State body to post best practice guidelines in checklist format on website – get up constituent model – membership of state body and issues with having to abide with national standards – rewards for compliance – recognitions, more funding to local bodies to reach state or national standards;*
 - Obtain patron feedback on what is good and bad – systematic collection of data – feedback sheet with each meal – to be collected at subsequent collections – very simple forms – don't just rely on anecdotal evidence and then adapt system and processes;*
 - Undertake regular spot audits on drivers compliance with guide lines;*
 - Driver sign off and tick checklist that all procedures followed after every run. Records management to collate and act on these sheets and suggestions from patrons and drivers to improve the system.*

Case Study: 5 The Annual Christmas Party

A not-for-profit association ('the Centre') provides teaching and other services for hearing-impaired children and support for their parents.

Each year the Centre holds a Christmas party for the children enrolled. Parents, volunteers, staff, board members, and management are invited, and parents usually bring along others who have not been specifically invited. This year approximately 30 children, ranging in age from 2 to 6 years, and 20 adults will be present. Father Christmas will arrive by prime mover, which is being provided by a sponsor and driven by a sponsor's employee.

The prime mover will be parked in the adjacent carpark outside the fenced playground area of the Centre. The cabin is quite high off the ground and the exhaust pipe will be very hot and near where children will climb onto the machine. Parents will be asked to supervise but a staff member will also be present, and the driver of the prime mover will remain in the cabin throughout the activity. The carpark is near the roadway and traffic presents a greater than usual risk for many hearing-impaired children.

There will be not be enough staff to monitor every aspect of the function closely. Children may be stressed by the heat and the unusually large crowd. Children with hearing aids could also be at risk from the resultant high noise levels, which may be amplified by the hard surfaces inside the building.

Some of the people attending, although well meaning, may behave inappropriately and in ways that could unsettle the children and parents. In addition, staff supervising children may be distracted by parents who want in-depth discussions of their children's progress. Parents can become emotional and distressed during interviews and privacy and confidentiality cannot be assured at the event.

Clearly, various aspects of the event present risks, although they are all of low likelihood. However, if problems do arise, they could have a major impact on the Centre.

A once-a-year event, outside the organisations usual routines, can present new risks that need to be specifically managed.

Risk Treatment Schedule and Plan

FUNCTION/ACTIVITY *Children's Christmas Party*

COMPILED BY

DATE

REVIEWED BY

DATE

RISKS IN PRIORITY ORDER (FROM RISK REGISTER)	TREATMENT OPTIONS	PREFERRED OPTIONS	RISK RATING AFTER TREATMENT	COST/BENEFIT ANALYSIS RESULT (ACCEPT/REJECT)	PERSON RESPONSIBLE FOR IMPLEMENTATION	TIMETABLE FOR IMPLEMENTATION	HOW TO MONITOR THE RISK AND THE TREATMENT OPTIONS
Injury caused by: - children climbing onto heavy machinery - hearing impaired children running onto the road	Avoid or manage risk	No heavy machinery, or close monitoring by staff, parents and sponsor. Check machinery for dangerous parts before and after it arrives	Medium/Low	Accept	Senior staff member and sponsor	Before next Christmas party	Submit plan to Sub- committee listing all tasks, attendant risks and how they will be addressed. Item for risk planning day.
Allowing non-parents to attend at party – inappropriate behaviour of some volunteers/visitors on the day	Avoid or manage risk	By making clear expectations and screening all attendees and by staff being aware of behaviours	Low	Accept	Senior management	As above	Senior management to closely monitor information given to parents and others. Item for risk planning day.
Parents wishing to discuss issues at the event	Manage risk	By making clear expectations of parents and reasons behind Centre policy	Medium/High	Reject	Senior management	As above	As above
Staff injured while helping children to climb onto truck	Avoid, manage or transfer risk	All staff briefed on responsibilities to others on the day. Consider more guidance on staff safety. Check insurance cover and legislative compliance.	Low	Accept	Senior management	As above	Submit plan to Sub- committee listing all tasks, attendant risks and how they will be addressed. Item for risk planning day.
Children made sick by eating inappropriate food (eg. heavily spiced). Parents and staff upset	Manage risk	Staff members and parents to be allocated responsibility to ensure appropriate food goes to children and parents	Low	Accept	Staff member and parent	As above	As above

Risk Action Plan

FUNCTION/ACTIVITY *Children's Christmas Party* PERSON RESPONSIBLE *Senior manager* DATE _____
 REVIEWED BY *Corporate Governance and Risk Management* DATE _____
Sub-Committee

RISK

Physical safety and comfort of children, especially children with hearing aids; may be at risk because of overcrowding of venue and increased noise levels and sometimes misguided actions of guests.

RECOMMENDED RESPONSE AND IMPACT

Avoid the risk – do not have heavy machinery at the party – low impact; avoid having the party inside at the Centre where the surfaces increase the level of noise and move to the outside area or to another venue – low impact.
Manage the risk – introduce strategies to minimise risk to children's comfort and hearing whilst managing volunteers' expectations, strategies to clarify support required of parents and expectations of staff at the event – low impact.
Transfer the risk – ensure insurance cover is adequate to cover any physical injuries; consider sharing or transferring risk when appropriate for injury occasioned by the heavy machinery.
May not be appropriate and thus, consider if risk is unacceptably high, to avoid the risk and not have heavy machinery at the party – high impact if no cover.

RESOURCE REQUIREMENTS

- a) ensure staff are all in attendance and well briefed on areas of risk and strategies and roles of staff to monitor and minimise risk. It may well be unrealistic and inappropriate to attempt to transfer risk to parents to monitor children effectively.*
- b) parking attendants to assist with parking of cars in the vicinity of the event. When children go outside for activities, staff and parents to ensure their safety at all times by not allowing any parking of cars in the carpark and the location of the prime mover.*
- c) ensure that external suppliers (e.g. an entertainer or the sponsor) are involved in the planning process and are aware of their responsibilities on the day.*

PROPOSED ACTIONS

- Send invitations to invitees and state that any other persons who wish to attend must first seek permission of the Centre and be recorded in the Centre's records. Clear guidelines for invitees should be stated in the invitation.*
- Put disclaimer on invitation that all parents must take responsibility to monitor their children and what they eat at the party.*
- If heavy machinery will be at the Centre, require a consent form to be signed by all parents before their children are allowed to go on the machinery, stating that the parents will accompany them and ensure that a staff member will be present at all times. If the machinery has parts that pose an unacceptable risk, then do not utilise heavy machinery in future. On the invitation insert a disclaimer as to negligence as far as permitted by law.*
- Confirm in writing the sharing of liability of the Centre and the sponsor who supplied the machinery and the driver, regarding liability and insurance cover should any injury be occasioned to any child or staff member or the driver from the children climbing onto or into the machine.*
- Consider alternate venues if noise levels are uncomfortably high or the heat is uncomfortable for the children.*
- Appoint staff member to be responsible for appropriateness of food (eg. no hot spicy food on plates for the very young) and general activities in the kitchen (to ensure safety in the kitchen area).*

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Risk Action Plan continued

RESPONSIBILITIES

- a) prepare and circulate an agenda which states the order of activities at the party and to minimize the period of time during which the children may climb onto the machine.*
- b) wait sufficient time between when the machine arrives and when the children climb on board and ensure the machine is inspected both before the machine arrives at the party but also afterward, and that there are no exposed or dangerous parts.*

TIMING

REPORTING AND MONITORING REQUIRED

- a) at the end of the event, conduct a 'debrief' of the activities on the day and be frank and constructive in drawing out issues that should be addressed. Have the chair or another member of the board conduct the debrief.*
- b) annual risk planning day, risk assessment should be undertaken of all major events and operations – involve all key stakeholders and be facilitated by a risk management expert if possible.*
- c) the person/s responsible for the event to submit a plan prior to the event to the Corporate Governance and Risk Management Sub-Committee outlining all activities, key risks and how those risks are to be managed – the Sub-Committee to report on any unusual or high risks to the board, should the need arise and table plan for the benefit of all board members.*

