



YACHTING NEW ZEALAND

Risk Management Guide

(February 2014)

Important Note

This guide is a summary only and is not intended as legal advice to cover all club/organising authority activities. The guidelines enclosed are offered on a 'no liability' basis and we recommend clubs seek independent advice from legal professionals, local Police, Maritime New Zealand and the local Harbour Master with regard to particular events and activities or your club.



INTRODUCTION

The purpose of risk management is to apply a process to identify risks, set at an acceptable level for risk, and take steps to keep residual risk at the level.

We manage risk by developing responses to reduce the consequences of adverse incidents, their likelihood, or both. In order to do this we need to identify risks, assess their potential consequences and likelihood, and design a response plan.

When accidents do happen, it is important that clubs have the relevant documents to prove that they have taken all due care to manage the safety of all involved to the best of their ability and industry standards.

This guide is designed to get you thinking about managing risks in your club environment, help you define a process for identifying and managing risk and provide a template for you to create a risk management plan.

What a risk management plan does:

- Helps protect the safety of all people involved, sailors, club members, volunteers and the public.
- Helps identify the areas of significant risk.
- Helps to run more efficient programmes and events

RISK MANAGEMENT CHECKLIST

- Do you have a risk management plan, is it documented?
- Are people involved in the club aware of the risk management plan?
- Does everyone involved know who the Safety Officer is on each day?
- Is the Safety Officer clearly aware of their role and responsibilities?
- Have your club rescue boat operators received proper training? Has their training been documented?
- Does the equipment on your rescue boats meet the Yachting New Zealand guidelines?
- Has the club considered what it can do to protect the general public?
- Does the club regularly and frequently document new hazards and risks?

KEY RECOMMENDATIONS

- Each Club or Organising Authority spends time considering the risks involved in their activities and using a recognised system of identifying, evaluating and measuring those risks. *YNZ provides a template recognised system to follow. More detail about the Risk Management Process is detailed further on in this guide.*



- Each Club or Organising Authority puts in place written documentation regarding safety and safe operating procedures and policy using the guidelines in this document.
- Each Club or Organising Authority regularly reviews their operating procedures and risk management plan as part of their annual duties.
- Each Club or Organising Authority should seek independent advice of legal professionals, local Police, Maritime New Zealand and the local harbourmaster with regard to events and activities at the club.

AREAS TO CONSIDER

The following is a list of areas your club/organising authority should consider when establishing what hazards and risks occur in and around your events. These things should be considered as part of safe operating plan and policy for your club/organising authority.

Land Based Activities

This could include:

- Shore based Hazards
- Legal duties in relation to hazard identification
- Health and Safety in Employment Act / Health and Safety Reform Bill
- Maritime Transport Act
- Regional Bylaws (Navigational Safety Bylaws)
- Training of volunteers
- Building regulations (Building Act 1991 / Building Regulations (1992)
- First Aid
- Liquor Licenses
- Food storage and preparation
- Firearm / Start gun legal requirements including who can use them, storage etc.
- Vehicle and Trailer use
- Vehicle Trailer legal requirements
- Appointment of a Safety Officer
- Employment Contracts

Water Based Activities

This covers things likely to occur on the water and could include:

- Racing Rules of Sailing / Safety Regulations of Sailing
- Safety Briefings
- YNZ Rescue Boat Safety System



- Survey requirements (if not covered by a safety system)
- Safe Operating Plans for Rescue Boats and Race Management
- Rescue Boat Operator Qualifications and Training
- Maritime Rules and bylaws
- Log books
- Training of officials and coaches
- MNZ Incident and Accident report forms
(<http://www.maritimenz.govt.nz/Publications-and-forms/Accidents-and-investigations/Recreational-boat-craft-accident-incident-report-form.pdf>)

Spectator / Event Responsibilities

These relate to key events as well as spectators and general public and can include:

- Risk Assessment requirements
- Harbour Master approval
- Event Permits
- Information Loops and communications plans
- Safety Support Obligations
- Legal Responsibilities
- Public Information
- Public safety around the club environs

THE RISK MANAGEMENT PROCESS

By following the YNZ Template Risk Management Plan, or any other recognised Risk Management template, the process outline below will be adequately covered.

The risk management process involves two on-going activities and five logically sequences stages:

| Ongoing Activities | Process Stages |
|--|---|
| Communicate and Consult with internal and external stakeholders as appropriate at each stage of the risk management process and concerning the process as whole | Establish the context for managing risks, including criteria for evaluating them. |
| | Identify risks and how they can arise. |
| | Analyse how often risks are likely to occur and the impacts they would have. |
| | Evaluate each risk's likelihood and potential impacts against your evaluation criteria. |
| Monitor and review the performance of the system and change that might affect it. | Treat unacceptable risks to reduce the chance that they will happen or the impact they would have if they did. |

(Source: SNZ HB8669:2004 Guidelines for Risk Management in Sport and Recreation)



Using the criteria in the YNZ Risk Management Template (Risk Management Process) you will be able to generate a robust risk management plan for your club.

When done well, a good plan adds benefits to what the club does and how it does it. You not only get a robust system, but something that helps the operation of the club.

PUBLIC LIABILITY INSURANCE

Public Liability policies provide business, non-profit, sporting and numerous other entities with protection against claims for compensation in respect of unexpected and unintended personal injury or property damage for which they may be legally liable arising out of their activities.

Some policies will provide for the costs of defending any claims in court, as well as any necessary investigations or negotiations.

Many clubs carry public liability insurance. Yachting New Zealand recommends clubs seek professional advice about their risk and whether they should carry public liability insurance.

USEFUL REOURCES

Sport New Zealand Club Kit - <http://www.sportnz.org.nz/en-nz/communities-and-clubs/Toolkit-for-Clubs/> (See the Health and Safety and Legal Requirements Sections)

Worksafe New Zealand - <http://www.business.govt.nz/worksafe/>
Information and guidance around work place safety (including volunteers)

The New Zealand Handbook Guidelines for Risk Management in Sport and Recreation – Standards New Zealand (SNZ HB 8669:2004)

For more information contact Yachting New Zealand, www.yachtingnz.org.nz.