

WINDSURFING NSW ASSOCIATION INC.

RISK MANAGEMENT PLAN

– August 2007

THE PLAN

This Plan outlines the minimum risk management principles to be adopted by the Windsurfing NSW Association Inc, its affiliated member Clubs and Associations and their respective members when sanctioning and or conducting windsurfing *events*.

DEFINITIONS

When a word is printed in '*italic*' type the relevant definition applies.

- ◆ *Event* shall mean 'any activity (racing or otherwise) directly associated with the sport of windsurfing which is sanctioned by the Australian Windsurfing Association Inc or Windsurfing NSW Association Inc or any of its affiliated member Clubs and Associations and which is conducted on a no-fee-for service basis (other than reimbursement of actual costs incurred) by financial members of Clubs and Associations affiliated with the Windsurfing NSW Association Inc or secondees formally recruited by such Clubs and Associations'.
- ◆ *Adequate* shall mean 'in accordance with the requirements of the relevant State law or, where no such State law exists, in keeping with common practice'.
- ◆ *Participant* shall mean 'a current financial member of a Club or Association affiliated with the Windsurfing NSW Association Inc. or secondees formally recruited by such Clubs and Associations or a person who has purchased public liability insurance from the *event* organisers and who has complied with all other *event* entry requirements.'

BACKGROUND

Clubs and their volunteer officials have a duty of care to both the public and those participating in *events* organised by them. In exercising this duty of care, the law requires those responsible to take all reasonable steps to reduce the likelihood of injury to persons (public and *participants*) and damage to property as a result of risks which are reasonably foreseeable.

OBJECTIVES

- ◆ To minimise the risk of loss or damage to property and or injury to the public, *participants*, officials and others associated with the conduct of *events*.
- ◆ To provide a safe environment for *participants* to enjoy the sport of windsurfing.
- ◆ To encourage *participants* to conduct their recreational activities in a responsible manner.
- ◆ To minimise the potential liability of the Windsurfing NSW Association Inc, its member Clubs and Associations and their respective members by improving the management of *events*.

SIGN-ON/SIGN-OFF SYSTEM

The use of a sign-on/sign-off system is not mandatory for slalom, freestyle, speed sailing or wavesailing *events* when such *events* are conducted in heats of short time duration and in close proximity to the shore. Notwithstanding, the *event* organisers reserve the right to require a sign-on/sign-off system to be used at an *event*.

- ◆ A reliable, easy to use and administer sign-on/sign-off system must be used. As a minimum, the system must accurately record the number of competing *participants* entered in an *event* by name and sail number and must be capable at anytime of reliably and quickly identifying competing *participants* who have signed-on and who have signed-off.
- ◆ Competing *participants* should be made aware at the appropriate race briefing of the purpose of the sign-on/sign-off system and the importance of their cooperation to ensure its effectiveness.
- ◆ Wherever possible, sign-on/sign-off should apply to each race or period of racing. Signing-on at the commencement of an *event* and signing-off several hours later at its completion should be discouraged. Consistent with the *event* program and resources available, the more frequent the sign-on/sign-off system is applied the more quickly any 'missing' *participants* are identified.

The following applies to all on-water *events* -

- ◆ Race management boats should not leave the course area until it has been confirmed that all competing *participants* have signed-off from racing or have been otherwise accounted for.

- ◆ Steps which should be taken to initially determine whether a competing *participant* who has failed to sign-off within the nominated time for doing so is indeed on shore or whose whereabouts cannot be determined are:-
 - is their equipment on the beach?
 - is their car still in the car park?
 - question other *participants* including race management personnel and coaches (if in attendance) as to whether they have any knowledge of the ‘missing’ *participant’s* whereabouts.
 - if there is a public address system available, use it to page the ‘missing’ *participant*.
 - if the ‘missing’ *participant* has nominated a contact phone number on their entry form, use it in an attempt to determine their whereabouts.

- ◆ Immediate steps which must be taken if a ‘missing’ *participant’s* whereabouts cannot be determined:-
 - alert all race management personnel including all coaches (if in attendance).
 - attempt to determine from other *participants* including race management personnel and coaches (if in attendance) where the ‘missing’ *participant* was last seen on the course area.
 - organise a coordinated search of the course area and foreshores with priority given to areas affected by prevailing winds and current flow.
 - alert water police, coast guard and similar agencies. Request these agencies’ assistance if necessary. Ensure the contact details for these agencies are known to the *event* personnel.

PERSONAL FLOATATION DEVICES

- ◆ Competing *participants* must wear *adequate* personal floatation devices whilst competing in an on-water *event* with the only exception being when competing in slalom, freestyle, speed sailing or wavesailing *events* when such *events* are conducted in heats of short time duration and in close proximity to the shore. Notwithstanding, the *event* organisers reserve the right to require all *participants* to wear *adequate* personal floatation devices at an *event*.

- ◆ On-water race management personnel must wear or carry *adequate* personal floatation devices.

RACE BRIEFING

- ◆ At the race briefing, competing *participants* and others associated with the *event* must be advised of all reasonably foreseeable safety concerns applicable to the venue and course areas. Examples of these are but not limited to:-

- hazards associated with launching and landing – rocks, oysters, slippery surfaces, sudden deep or shallow water, breaking surf.
- the presence and location of known reefs, shallows, rocks, weed beds, sand bars and strong currents.
- the presence of other water users especially high speed ferries etc having right of way and large shipping.
- exposed rigging areas necessitating the pegging down of equipment.
- adverse weather forecasts

RESCUE FACILITIES

- ◆ As a minimum, rescue boats must be *adequate* in number and type commensurate with the *event* based on the number of competing *participants* entered, the competency and skill level of those *participants*, the sea state and tidal conditions of the course area, the proximity of safe/hostile shores, the weather conditions and forecast and the distance the course area is from the venue launching area.
- ◆ Rescue boats should have reliable radio communication one to the other and to the venue shore base.
- ◆ Rescue boats should have *adequate* first aid equipment on board and at least one crew member should have a good knowledge of first aid.
- ◆ Rescue boats and their crews should be experienced in towing and handling disabled windsurfers in all sea and weather conditions without the risk of injuring the competing *participant* or damaging their equipment.

FIRST AID

- ◆ At all *events*, *adequate* first aid equipment must be available at the venue and on the rescue boats.

ADVERSE WEATHER CONDITIONS

- ◆ Possible adverse changes to weather conditions affecting the *event* must be regularly monitored using the latest and most reliable forecasting source(s) available. Adverse weather conditions include storm, fog and no-wind situations.
- ◆ Every effort must be taken to avoid *participants* being exposed to adverse weather conditions during an *event*. Should adverse weather conditions impact on an *event*, *participants'* safety becomes the main priority.
- ◆ Consideration should be given to abandoning competition in sufficient time to allow *participants* to return safely to the venue launching area and to sign-off (if applicable) before the adverse weather condition affects the course area. Ensure all competing

participants have signed-off or are otherwise accounted for. Should this not happen, then:-

- Those race management boats which are not at risk should remain on the course area to provide assistance to competing *participants* in distress. Likewise, coach boats (if in attendance) should be asked to assist.
- In the case of threatening severe storm activity, an alternative to towing/escorting *participants* to the safety of the shore (which could be time consuming), they can be either:-
 - tethered in a group to one another or to an anchored course mark or to an anchor set by a race management boat and collected as soon as the storm activity abates. It is important to record the names, sail numbers, time and whereabouts of such *participants*.
 - taken on board a race management boat after their equipment has been tethered to an anchored course mark or to an anchor set by a race management boat. It is essential in such cases that some form of notice be attached to the abandoned equipment indicating that the *participant* has been accounted for and has not been inadvertently separated from his or her equipment. A harness attached to one of the footstraps or to the boom could serve this purpose. It is important to record the names, sail numbers, time and whereabouts of such *participants*.
- Once the storm activity has abated sufficiently enough then:-
 - all race management boats and coach boats (if in attendance) should be deployed to assist competing *participants* return to the venue launching area.
 - ensure all competing *participants* have signed-off or are otherwise accounted for.
 - retrieve competing *participants'* abandoned equipment if relevant.

WAIVER/RELEASE AND INDEMNITY

- ◆ The following text must be included in both the Notice of Race and Sailing Instructions for all on-water events:-

'ENTRY DISCLAIMER

It is the competitor's sole decision to enter this event and to start and or to continue to compete. By way of entering, competitors acknowledge and agree that participation in this event can be dangerous and accept that their participation is at their exclusive risk in every respect. In addition, by way of entering competitors shall hold harmless the organising authority, its officers, members, servants and agents and all other competitors in respect of all liability for injury to their person and or loss or damage to their property howsoever arising from their participation or intended participation in this event and acknowledge and accept that the organising authority, its officers, members, servants, agents and other competitors accept no

responsibility in respect to loss of life, personal injury or loss or damage to property which may be sustained by reason of a competitor's participation or intended participation in this event or arising for whatever reason in connection with this event.'

- ◆ The following text must be included on the Entry Form for all on-water events and must be signed by the participant:-

'ENTRY DISCLAIMER

In accepting my entry, I agree to be bound by the racing rules and all other rules governing this event. I acknowledge and accept that I am solely responsible for deciding to enter and to start and or to continue to compete. I further acknowledge and agree that participation in this event can be dangerous and shall accept that my participation is at my exclusive risk in every respect. By way of my entry being accepted, I hold harmless the organising authority, its officers, members, servants, agents and all other competitors in respect of all liability for injury to my person and or loss or damage to my property howsoever arising from my participation or intended participation in this event. I acknowledge and accept that the organising authority, its officers, members, servants, agents and other competitors accept no responsibility in respect of loss of life, personal injury or loss or damage to property which may be sustained by reason of my participation or intended participation in this event or arising for whatever reason in connection with this event.'

- ◆ The following text must be included on the Entry Form for all off-water events and must be signed by the participant:-

'ENTRY DISCLAIMER

In accepting my entry, I agree to be bound by the rules governing this event. I acknowledge and accept that I am solely responsible for deciding to enter and continuing to participate in this event. I further acknowledge and agree that participation in this event can be dangerous and shall accept that my participation is at my exclusive risk in every respect. By way of my entry being accepted, I hold harmless the organising authority, its officers, members, servants, agents and all other participants in respect of all liability for injury to my person and or loss or damage to my property howsoever arising from my participation or intended participation in this event. I acknowledge and accept that the organising authority, its officers, members, servants, agents and other participants accept no responsibility in respect of loss of life, personal injury or loss or damage to property which may be sustained by reason of my participation or intended participation in this event or arising for whatever reason in connection with this event.'