

Club Policy – Paddling Activities and Trips (Working draft for testing – June 2020– v5)

Purpose

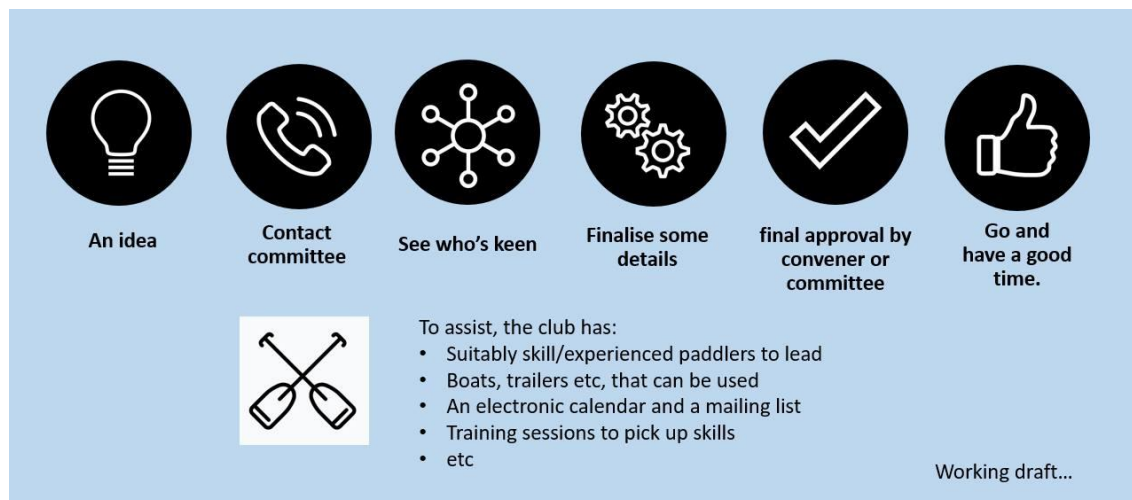
Paddling activities and trips take many different forms, with adventures happening in many locations. These guidelines are intended to provide members with some practical guidance on the different types of activities and the expectations of the club.

Objectives

- Maximise paddling opportunities for our club members.
- Maximise value arising from club membership.
- Ensure positive experience for others interacting with the club.
- Ensure that risks are identified, mitigated and communicated.
- Provide a level of clarity and set out the options available to people.

A brief note

The information contained in this document is of a general nature and does not constitute legal advice. Individuals are encouraged to make their own enquiries in respect of any specific circumstances. This document is also to be read in conjunction with other relevant documents, eg club constitution, insurance policy etc.



DEFINING ACTIVITIES

1. What is a club trip or activity?

A *club trip or activity* will typically be:

- Related to paddling in some form (either on or off the water),
- Organised by a club member and all participants are members of PNSW.
- Be approved by a relevant activity convener and/or committee (as a regular activity or one-off),
- Be communicated by communication channels (eg mailing list).



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2. What kind of 'other trips and activity happen?

Club members from time to time may be involved with 'other trips and activities', for example:

- Races organised by PaddleNSW.
- Races organised by other organisations
- Events organised with and by other clubs (PaddleNSW affiliated)
- Events organised with and by other clubs (non-PaddleNSW affiliated)

Before taking part in such activities, we encourage members to consider these guidelines and liaise with the committee to understand whether the activity is indeed a 'club-sanctioned' event.

Club members are clearly at liberty to participate in personal activities that may be privately organised and have no relationship to the club.

ORGANISING AND LEADING TRIPS

3. What are some factors that can make a good trip?

There are many factors that can contribute toward a 'great time'. These include

- **A team effort** – trips/activities can take some organising, many hands = light work.
- **Shared responsibility** – everybody on the trip is expected to look out for each other. It's not ok to leave others behind etc. Everybody is to help out with loading gear onto trailers at the clubhouse etc.
- **Leading by example** – we're generally in public places, your conduct (good or otherwise) reflects on the club and fellow club members – and may impact future trip opportunities.
- **Being appreciative** - everybody is volunteering their time, please respect this.

If you're looking to be 'tour-led', there are plenty of commercial operators out there. Similarly, some people prefer the total freedom of individual travel.

Club trips/activities are not suited to everybody – maybe have a think about this before signing up for a trip/activity, you know your own preferences.

4. What is involved in organising a club trip or activity?

The specifics of each trip or activity will be different. Typically, the following matters will be considered:

- **People** – who, age (including whether <18 years), skills, experience, confidence, medical conditions etc.
- **Environment** – wind, tides, river levels, weather forecast, wildlife, areas of environmental sensitivity.
- **Equipment** – boats, paddles, PFDs, rescue equipment, vehicle/trailer transport, costs and cost-sharing arrangements

Any club member can organise a club trip or activity. Only those with suitable skill/experience should lead an activity.



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An activity plan, float plan and risk assessment shall generally be prepared ahead of each event and be made available to both the relevant convenor and also event participants. This is important for a range of reasons. Risk management requires one to identify, mitigate and make others aware of risks.

Risk template available from Paddle Australia.

<https://paddle.org.au/education-safety/safety-guidelines-v2/#Appendix-F>

Regular/repeat activities may have standardised paperwork approved (by convenor or committee) for regular/repeat usage.

5. **What approvals are required prior to any trip or activity?**

Approval in writing (email is fine) from a convenor/committee/executive is required for a club trip or activity. A request for approval should be made at the earliest opportunity, providing plenty of time for review – last minute requests should be avoided, if possible.

We obviously understand that some trips (particularly whitewater) only get planned at short-notice due to the pleasant surprises that mother-nature can bring.

This process of approval enables a trip to be a 'club sanctioned' activity, providing the opportunity for insurance cover and similar. Convenors can also provide some useful tips/pointers, to ensure the trip/activity is likely to be safe and enjoyable.

6. **Skills/experience levels/Qualifications**

While the club actively encourages members to work toward and attain relevant qualifications, they are not an automatic precursor to involvement. Per the club's safety framework as published on website. Trip/activity leader retain ultimate discretion re participant involvement.

Also refer to:

- <https://paddle.org.au/education-safety/safety-guidelines-v2/#People>
- <http://rivercanoeclub.org/sites/default/files/policy/RiverCanoeClubCompetencies2013.pdf>

7. **Participation by those under the age of 18**

The Club actively seeks to be 'family friendly' and support participation/skill development by the children of members - there are however a range of practical considerations.

Notwithstanding that another club member may be organising/leading all or part of an event, parent/guardian retains the supervisory responsibility. Please also refer to Section 9 of the Paddle Australia Guidelines:

<https://canoe.org.au/wp-content/uploads/2016/08/Code-of-Behaviour-Policy-160620.pdf>

8. **Incident management**

Despite the best planning and risk management, incidents do happen from time to time.

The emergency arrangements established as part of trip planning (part 4) shall be implemented.



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The standard Paddle Australia incident report form shall be completed within 7 days of incidents (<https://paddle.org.au/wp-content/uploads/2017/11/Incident-report.pdf>)

No comment shall be provided to media without the approval of club executive.

Safety reports shall be prepared in consultation with the committee, providing an opportunity for 'lesson learnt'

9. **Club equipment**

Club gear is commonly available for club trips. More information here:
<http://rivercanoeclub.org/sites/default/files/policy/2010equipmentuseage.pdf>

10. **Access to land – both public and private**

As part of planning for a club-activities, consideration to be given to ensure suitable access to land. Property title boundaries are generally available for viewing through Sixmaps.nsw.gov.au. Consent, insurance arrangements etc, may need to be established.

11. **Respectful behaviour/responsible conduct/non-discriminatory.**

This is generally just common sense and doing the right thing. A copy of the Paddle Australia Code of Conduct can be found here:
<https://canoe.org.au/wp-content/uploads/2016/08/Code-of-Behaviour-Policy-160620.pdf>

12. **Minimal impact**

The club encourages all members to following principles associated with minimising impact, including following the [Leave no Trace Australia](#) "7 Principles of Leave No Trace"
<https://paddle.org.au/education-safety/safety-guidelines-v2/#Minimal-Impact>

13. **Fatigue management/road safety**

Fatigue can present a significant risk to our club members, particularly with extended drive times after a full day/weekend of physical activity. Fatal consequences can result. Road Safety campaigns generally identify a 17-hour threshold of 'awake time' as presenting a significant risk. It is expected that this is factored into trip plans.

If an overnight stay is necessary, we can always discuss a way to split the costs should the need arise.

More information at:
<https://roadsafety.transport.nsw.gov.au/stayingsafe/fatigue/index.html>



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Various administrative matters

14. Information Privacy

The club from time to time collects information that may be sensitive, for example details of medical conditions ahead of and during a trip. This information shall not be made available to others, unless there is a particular genuine reason.

A copy of the Paddle Australia policy on privacy can be found here:

https://canoe.org.au/wp-content/uploads/old-files/ac/downloads/pdf_rules/bl-10-privacy.pdf

15. Reasonable reimbursement of expenses:

Members organising, leading and participating in trips and activities do so on a volunteer basis. Reasonable reimbursement of expenses, particularly 'over and above' shall be handled per club policy with a view to organisers/leaders not being direct out of pocket.

<http://rivercanoeclub.org/sites/default/files/policy/Club%20Policy%20-%20reimbursement%20of%20expenses%20-%20Oct%202018%20.pdf>

LEGAL AND FINANCIAL RISK PRACTICAL CONSIDERATIONS

Please note: *that this does not constitute legal advice and individuals may wish to seek their own advice – it is information of a general nature only and to raise awareness. To the extent of any inconsistency between this policy and relevant insurance policies, acts or regulations, the source (other) document shall prevail.*

16. Why are such matters important to understand?

From time to time, not everything will go to plan – there are potential financial, insurance and legal risks that need to be understood. Broadly the potential risks can be split into three (3) categories:

- a. Personal accident cover
- b. Damage to property
- c. Potential legal action against the individual and the club itself, including matters associated with public liability.

These are further set out in the following sections.



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17. **What 'personal accident' cover does the club/PaddleNSW have for its members?**

A require of the River Canoe Club is that its members are also members of *PaddleNSW* (and in turn *Paddle Australia*). Through its insurance provider, the following personal accident cover is available:

- Permanent injuries and death
- 'Non-medicare covered' medical expenses
- Loss of income

There are exclusions, limits to the cover and there is an excess of \$50 applicable to each injury. A copy of the insurance summary sheet can be found at the following links:

- http://www.vinsurancegroup.com/paddle/pdf/summary-of-cover/2018-19_PaddleAust_SummaryofCoverV2.pdf
- <https://paddle.org.au/membership/insurance/>

18. **What about liability, negligence and similar?**

Note: Please note the following, should not be construed as legal advice, rather information of a general nature to assist club members.

The River Canoe Club is an incorporated association. Incorporation is intended to provide a level of protection for its individual members, with legal action potentially being taken against the organisation instead.

A copy of the *Civil Liability Act 2002* may be accessed here:
http://www5.austlii.edu.au/au/legis/nsw/consol_act/clc2002161/

Key sections include the following:

- Part 1A – Negligence.
- Division 4 – Assumption of risk.
- Division 5 - Recreational Activities.
- Part 9 – Volunteers.

A general guide produced by the NSW State Government is available here:
https://www.volunteering.nsw.gov.au/__data/assets/pdf_file/0018/432243/safety_risk_management_and_volunteers_v02.pdf

General guidance and information may be obtained here:
https://www.nfplaw.org.au/sites/default/files/Volunteer_civil_liability_protection_0_0_0.pdf

In general, a volunteer will not be protected where the volunteer knew, or who ought reasonably to have known, that at the relevant times they were:

- acting outside the scope of the community work organised by the community organisation
- acting contrary to any instructions given by the community organisation in relation to the provision of the service, or
- the volunteer's ability to provide the service in a proper manner was, at the relevant times, significantly impaired by alcohol or drugs voluntarily consumed (whether consumed for medical reasons or not), and the volunteer failed to exercise reasonable care and skill when doing the work.

If one is found to negligent, action may be pursued. While Insurance may assist, though may have limitations leaving one personally exposed. Negligence should be avoided. Operating with club guidelines is strongly recommended.