

# GOVERNANCE & OPERATIONS MANUAL



This manual discussesis about the regulatory requirements and daily activities of a Sailability club in Queensland. It has been prepared by Sailability Queensland with contributions from Sailability clubs in Queensland.

January 2020

## Introduction

---

This manual is for all Sailability clubs in Queensland, be they on the drawing board, newly formed or established. It provides a comprehensive blueprint for your operations from 'back office' to 'on the water'.

The first part of the manual is about the basics of establishing a club. Then, we move on to explaining your annual legal and procedural requirements. Sample documents and information links are included for your use. Links may change and we will do our best to keep abreast.

We can't consider your local situation, systems or procedures. So, if you use the information here, we recommend you customise it to suit your needs.

### Thank you

A special thank you to all Sailability clubs in Queensland for your input.



---

## Contents

---

Introduction .....	1
Your Sailability club – an overview .....	5
1. Structure, incorporation and related requirements.....	6
Club structures .....	6
Separately incorporated.....	6
Other structures .....	6
Incorporation .....	7
About registering as an incorporated association .....	8
Legal status .....	8
Duties .....	8
To incorporate.....	8
Management committee.....	8
After incorporation.....	9
<b>Levels of association</b> .....	9
<b>Auditing and verifying</b> .....	9
<b>Level 1 associations</b> .....	9
<b>Level 2 associations</b> .....	9
<b>Level 3 associations</b> .....	10
Uncertainty?.....	10
Fundraising .....	10
2. <b>Legals</b> .....	11
2.1 Australian Business Number (ABN).....	11
Applying for an ABN .....	11
Applying for other registrations .....	12
2.2 ACNC Registering as a Charity .....	13
Registering as a charity .....	13
2.3 Tax issues .....	14
Relationship with the Taxation Office.....	14
<b>Primary contact</b> .....	14
Deductibility of gifts received .....	15
Apply for DGR endorsement.....	15
Gift fund .....	15
Charity endorsement .....	16
Eligibility for charity tax concessions? .....	16

2.4	NDIS Sailability Queensland recommends a watching brief and does not recommend registration for NDIS. This chapter is for information only to demonstrate what might be involved for you.....	17
2.4.1	<b>OVERVIEW</b> .....	17
	.....	17
2.4.2	About NDIS .....	17
2.4.2	About NDIS .....	18
	Snapshot.....	18
	Disability requirements.....	18
2.4.3	NDIS Provider registration .....	19
	The NDIS may make rules for registered providers of supports to comply with, including about business practice and the consequences of non-compliance (section 73).....	19
2.4.4	Registration process for providers in Queensland .....	20
2.4.5	Invoicing and payments under NDIS .....	21
	NDIA managed participant .....	21
	Plan managed participants.....	21
	Self-managed participants .....	21
	How much can I charge? .....	21
3.	<b>Returns &amp; payments</b> .....	23
	Equipment and people insurances.....	23
	How the process works for people insurance .....	23
	Your insurance responsibilities.....	23
4.	<b>Working with Children, Blue Card and Child Risk Policy</b> .....	24
	Blue Card System .....	24
	Applying for a Blue Card .....	24
	Youth Management Strategy .....	25
	Information required in a strategy.....	25
	Process for developing a plan .....	25
5.	<b>Operations</b> .....	27
	Risk Management .....	27
	Specific compliance requirements.....	27
	Marine Safety Queensland (MSQ) requirements .....	27
	Boats and equipment.....	27
	PFD Servicing .....	28
	Training and procedures.....	29
	Level 1 Responsibilities.....	29
	Level 2 Responsibilities.....	29
	Recommended training .....	29

MOB procedures .....	30
Forms and other documents .....	30
<b>6. Stakeholder Communication.....</b>	<b>31</b>
Committee and volunteers.....	31
Care of new volunteers .....	31
Other activities for volunteers.....	31
Dealing with an issue .....	32
Recruitment opportunities .....	32
Sponsors and grants .....	32
Marketing .....	32
Discover Sailing and Sailing Pathways to individual achievement.....	32

## Your Sailability club – an overview

---

### 1. Structure, incorporation & related requirements

- Club structures
- OFT, Queensland apply to incorporate, rules accepted, office bearers appointed
- AGM & committee & special meetings, accounts & record keeping determined by Associations Act, club rules & by-laws
- Members' register
- Rules about certain fund raising

### 2. Legals

- 2.1 Apply for an Australian Business Number (ABN) with ATO. Also FBT and GST
- 2.2 Register as a charity with ACNC
- 2.3 Taxation exemption and deductible gifts
- Rules about some fund raising
- 2.4 NDIS
- Lease, Sub-lease, Memorandum of Understanding (MOU)

### 3. Returns and Payments

- Equipment and people insurances
- OFT annual accounts & registration fee
- ACNC account snapshot
- BAS if registered for GST
- Annual Statistical Report to SQ
- Equipment & People insurances
- Property leases and rents

### 4. Working with Children

- Blue Card Register
- Child & Youth Policy

### 5. Operations

- Risk management policy
- Marine Safety Queensland (MSQ)
- Boats and equipment
- Training & procedures
- MOB procedures
- Volunteer job descriptions, forms and operations documents

### 6. Stakeholder Communication

- Committee and volunteers
- Sailor clients
- Carers
- Sponsors
- Auditor
- Marketing

# 1. Structure, incorporation and related requirements

---

## Club structures

### Separately incorporated

Generally, each Sailability club in Queensland will be separately incorporated and operated by an elected committee. The primary activity of such clubs is to provide sailing and other on-water activities for people with disability in a safe and friendly environment.

The committee will comprise a president, secretary and treasurer, and may include a vice-president (the office bearers). It may also include an assistant treasurer and a registrar.

Sailability Queensland role is to provide ongoing support (including the arranging of insurance), information and training for all clubs and their volunteers. Importantly, we also seed and closely support new clubs.

Should you be involved in the formation of a new club and seek to use the Sailability brand and logo we will ask you to enter into an 'affiliation' agreement with Sailability Queensland. In the agreement you would agree to,

- Advise of the names and email addresses of your club's elected president, secretary and treasurer (you may also wish to advise about a vice-president or other positions)
- Advise of any changes to the above position holders, and
- Comply with all safety recommendations and administrative procedures asked of you by Sailability Queensland's committee

[see Sailability Queensland's Rules at paragraph 1.7]

After the end of June each year we will ask you for some statistical information, including the number of days you sailed during the past year and average volunteer and client numbers, and the what your fleet comprises. Some of this information is passed to Australian Sailing to fulfil government information requests to Australian Sailing.

### Other structures

In other situations, your group may operate in an environment that does not permit incorporation. Typically, such groups operate out of yacht clubs under the umbrella of Yachting Australia. They have regard to safety procedures and other protections in place, such as insurance, that are in harmony with the standards Sailability Queensland seeks from separately incorporated clubs.

Your group will enhance your service delivery through affiliation with Sailability Queensland. The guidelines we would consider your request for affiliation are,

- A written request from you to affiliate with Sailability Queensland. The request would outline your objects, operating systems and other significant guidelines you have
- The names of your president, secretary, treasurer and other committee members
- Agreement to your name that would include 'Sailability'

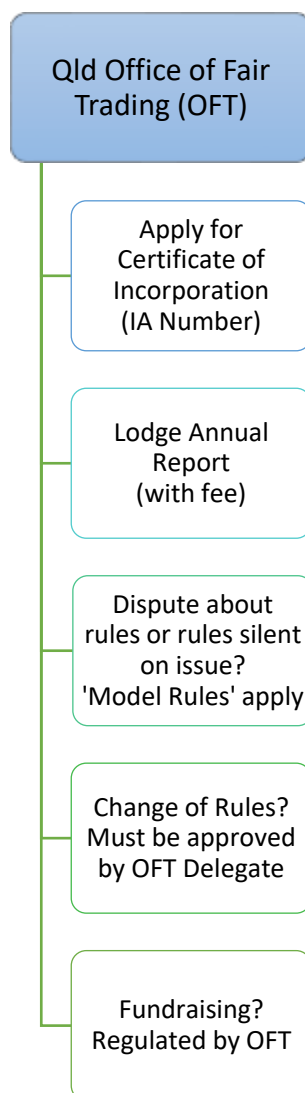
- That you can demonstrate you have (and will continue to have) adequate insurance cover protecting volunteers, clients and (in some cases) carers who participate in your program, and
- That you would uphold the Sailability brand and use it appropriately

If there are concerns we will discuss these with you. Acceptance of your application will be confirmed in writing by us and will be subject to your continued compliance with the guidelines.

Once affiliated you would be treated equally with separately incorporated clubs in Queensland, including your president's membership of Sailability Queensland and the right to nominate committee members.

In the event of you withdrawing your affiliation you will cease to use the Sailability name and spinnaker logo. In the event of a disagreement with us you may refer the matter to Australian Sailing for their consideration.

## Incorporation





## About registering as an incorporated association

The Queensland Office of Fair Trading (OFT) administers the Associations Incorporations Act 1981. The OFT website explains the incorporation process at <https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/associations-charities-and-non-for-profits/incorporated-associations/set-up-an-incorporated-association>

In summary –

Legal status

- An incorporated association is a legally separate body and has powers including owning land and signing a lease
- The association is legally separate from its members. The committee makes decisions, the association becomes legally liable for these decisions, and individuals on the committee aren't personally liable (as long as they act in good faith).

Duties

- The association must comply with the Act and the Associations Incorporation Regulation 1999, review its finances yearly and lodge returns and financial statements with OFT annually

To incorporate

In Queensland, you must,

- have at least 7 members
- be a not-for-profit association
- have a physical address in Queensland
- convene a general meeting of the unincorporated association and pass a resolution to become incorporated with a  $\frac{3}{4}$  majority of the vote
- choose a name nobody else has
- adopt a set of rules, also known as a constitution (Sailability Queensland recommends you base these on the 'the [model rules](#) found on the OFT website. The rules must set out
  - that rights are available to members
  - how the association operates
  - how the management committee works

After you incorporate you are also required to open a bank account, insure your club (see insurance in this guide) and get a common seal that legally identifies your club. See <https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/associations-charities-and-non-for-profits/incorporated-associations/after-you-incorporate-an-association>

Management committee

Your rules must set out the way in which you elect the management committee, how to choose committee members, terms of office, how a vacancy occurs and filling of vacancies,

and frequency and types of meetings to be held. Most clubs will have a president, secretary and treasurer but may create other positions such as vice president.

After incorporation

You are required to submit an annual report (and pay the required fee) to OFT. The type of report depends on the level of your club. OFT advises:

### Levels of association

Level	Value of current assets	Total revenue	Notes
1	More than \$100,000	More than \$100,000	Your association <b>only needs to satisfy 1</b> of these criteria to qualify as Level 1
2	\$20,000–\$100,000	\$20,000–\$100,000	Your association <b>only needs to satisfy 1</b> of these criteria to qualify as Level 2
3	Less than \$20,000	Less than \$20,000	Your association <b>must satisfy both</b> of these criteria to qualify as Level 3

**Current assets** are only those assets that easily convert into cash. They may include:

- cash, including in bank accounts
- shares
- accounts receivable
- short-term investments.

They do not include:

- property
- any depreciable assets (such as a car or machinery).

Total revenue is your total income during the last financial year before any expenses are deducted.

### Auditing and verifying

Whether you need to appoint an auditor or verifier will depend on your reporting level. Depending on what your association does, you may need to fulfil other requirements too.

#### Level 1 associations

You must appoint a suitable person to audit your financial statements. This must be:

- a certified accountant
- a qualified auditor.

#### Level 2 associations

You must appoint a suitable person to audit or verify your financial statements. This must be:

- a certified accountant
- a qualified auditor
- an approved person ([download the approval form \(PDF\)](#)).

### Level 3 associations

You must complete a full audit if your association is required to do so under another law, including the:

- *Collections Act 1966* (for example, if you fundraise)
- *Gaming Machine Act 1991* (for example, if you have gaming machines such as pokies).

The auditor must be:

- a certified accountant
- a qualified auditor
- an approved person ([download the approval form \(PDF\)](#)).

In all other cases, verification is enough unless your members specifically want an audit done. Your president or treasurer will need to verify your financial statements. If they are satisfied, they will provide a written statement:

I have sighted the association's financial records and the financial records show that the association has book keeping processes in place to adequately record the association's income and expenditure and dealings with its assets and liabilities.

### Uncertainty?

There may be times where your club has a matter that is not covered in your rules. If that occurs the laws dictate that the 'model rules' can apply. Of course, if you have adopted the model rules it is likely that you will avoid such a situation. Alternatively, you could hold a special general meeting and pass a resolution (requiring a majority of 3/4 of those present at the meeting.) The change will not take effect until approved by an OFT delegate.

### Fundraising

Clubs may accept donations from business and individuals at any time. They may also seek out grants from government, public and private bodies. But if you wish to raise funds by, say, conducting a public raffle or door knocking you should check with OFT.

### OFT and fundraising

The majority of fundraising activities in Queensland are regulated by OFT. The OFT administers the laws that govern fundraising across the state – the [Collections Act 1966 \(QLD\)](#) and [Collections Regulation 2008 \(QLD\)](#).

Fundraising laws in Queensland regulate appeals for support for charitable or community purposes including door-to-door appeals and street collections.

For more information about the fundraising activities regulated by the OFT, visit the [OFT website](#).

To fundraise in Queensland, an organisation needs to:

- apply to register as a charity in Queensland and be entered on the OFT's register of charities and associations
- have its fundraising purpose sanctioned, or
- be authorised by a registered charity to fundraise on its behalf

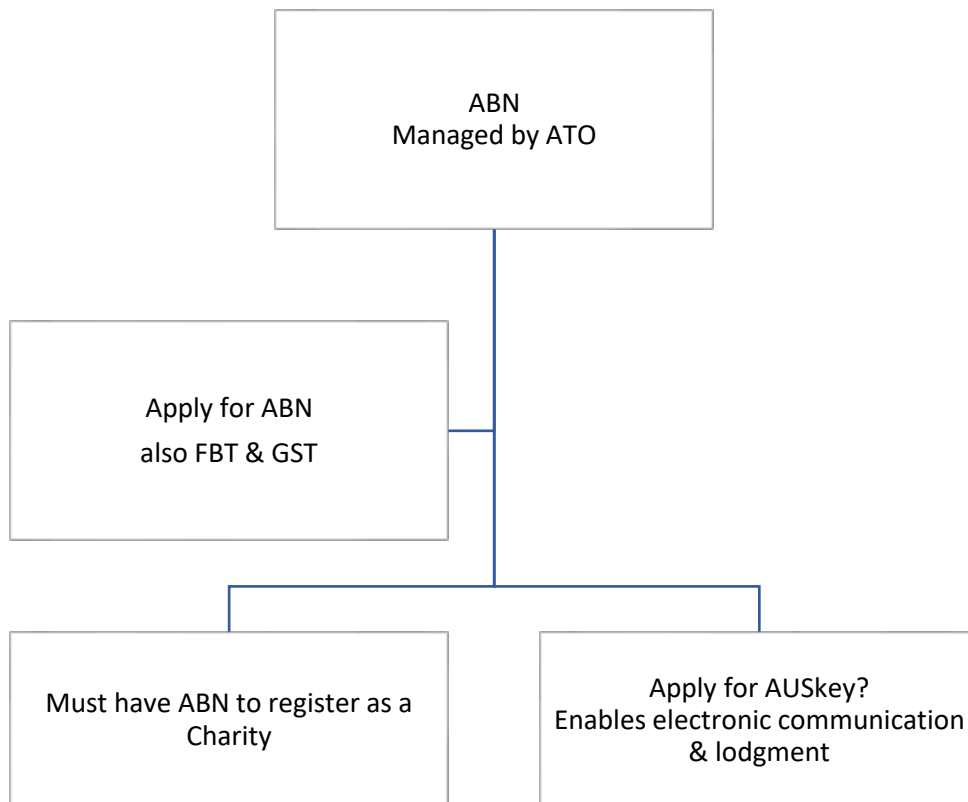
Charities that fundraise in Queensland may also be required to meet ongoing obligations to the OFT.

For details about the process of obtaining authorisation to fundraise in Queensland, and the obligations of fundraisers, including any exemptions that may apply, visit the [OFT website](#).

## 2. Legals

### 2.1 Australian Business Number (ABN)

---



#### Applying for an ABN

The Taxation Office advises:

An enterprise includes activities done in the form of a business, as well as some other activities such as ... operating a charity ...

If you get an ABN you must continue to meet the entitlement requirements. If your business situation changes you may need to [update or cancel](#) your ABN...

When you [apply for an ABN](#) online, you will be asked a series of questions to check if you're entitled. If you're not entitled, your application will be refused.

You can also check your entitlement before starting an application. If you want to apply after answering the questions, your answers will be transferred to your application so you don't have to answer the questions again. To check go to:

<https://abr.gov.au/ABRWeb/AbnApply.abr?pid=71>

Separately constituted Sailability clubs carry on a business and are entitled to an ABN. However, an affiliated Sailability club that operates out of a yacht club and is not separately constituted is not entitled to its own ABN. In such a case it would generally rely on its host club's arrangements.

## Applying for other registrations

The Tax Office also provides advice on how to register for GST, PAYG, AUSkey and obtaining a Tax File Number (TFN):

Applying for other registrations like PAYG, GST, AUSkey and a business name at the same time as your ABN application can save you time. In addition, most businesses or organisations can apply for a TFN at the same time as their application.

- [Apply for GST, PAYG, business name and AUSkey](#)

As part of the Australian business number (ABN) application you can apply for other business registrations.

- [Apply for a TFN for business](#)

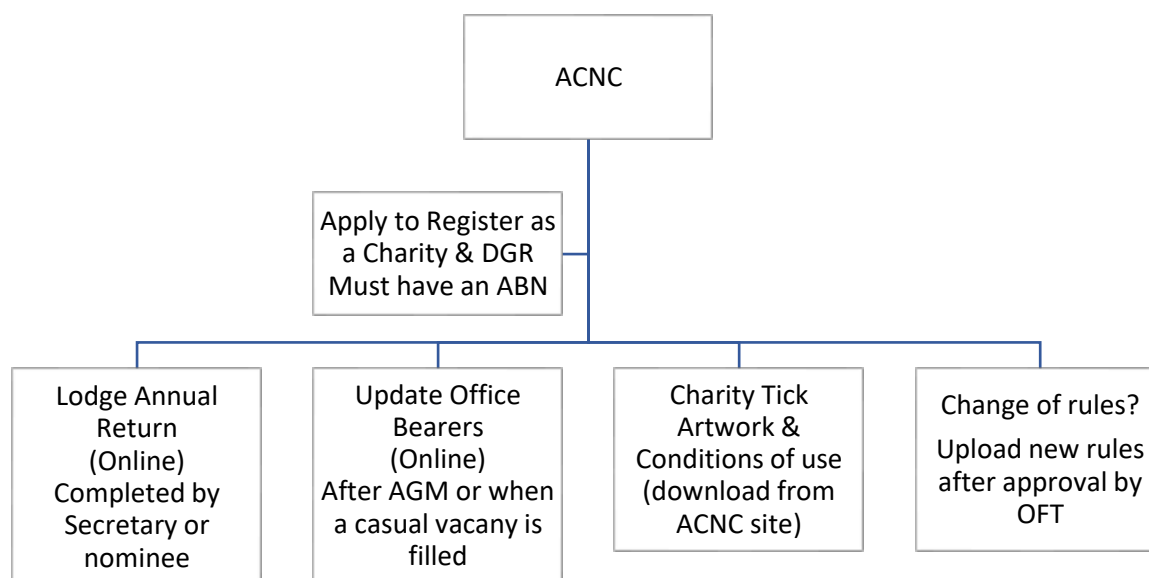
Companies, trusts, partnerships and many other organisations can apply for a tax file number (TFN) using the online application below.

PAYG should not be relevant to Queensland Sailability clubs as we do not employ people. Contractors paid to perform ad-hoc should generally not be considered employees of a club.

AUSkey is a facility to enable electronic communication between you and the Taxation Office. You should only consider AUSkey if you are registered or intend to register for GST. It is a club's choice if it wishes to apply for AUSkey. Please note that we understand the system is not without its difficulties and may suffer considered outages from time to time.

## 2.2 ACNC Registering as a Charity

---



### Registering as a charity

Once you have obtained an ABN from the Taxation Office you can apply to register as a charity with the Australian Charities and Not for Profits Commission (ACNC). ACNC advises that registration requires:

To be eligible to be registered as a charity with the ACNC, your organisation must be able to show that it is a 'charity'. In other words, it must:

- be not-for-profit
- have only charitable purposes that are for the public benefit
- be complying with ACNC governance standards
- not have any disqualifying purposes (for example engaging in, or promoting activities that are unlawful or contrary to public policy or promote or oppose a political party or candidate for political office), and
- not be an individual, political party or government entity.

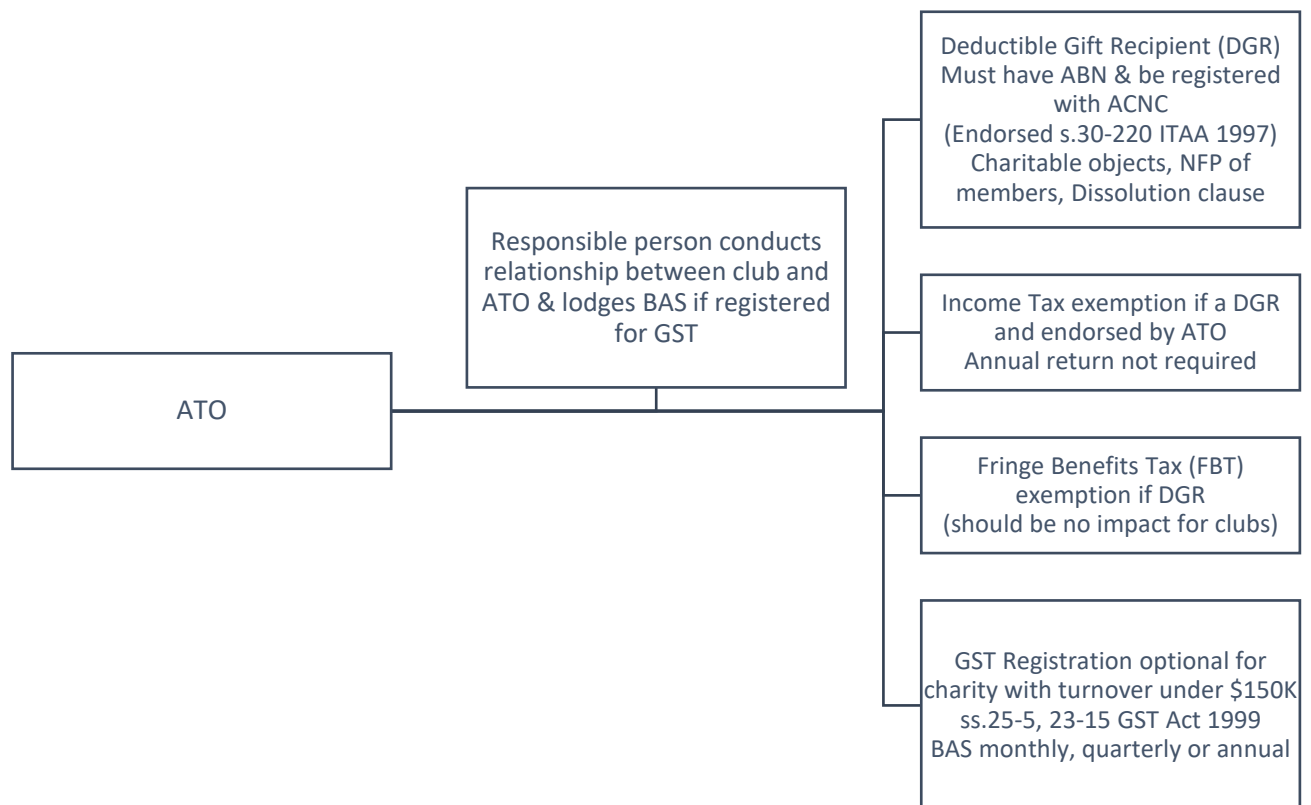
To register, it must also have an Australian Business Number (ABN) with the right 'entity type'.

You can register with ACNC on-line at:

[http://www.acnc.gov.au/ACNC/Register\\_my\\_charity/Start\\_Reg/ACNC/Reg/Apply\\_to\\_register.aspx?hkey=dff5976f-35a7-406f-a226-efd45b4a5e9c](http://www.acnc.gov.au/ACNC/Register_my_charity/Start_Reg/ACNC/Reg/Apply_to_register.aspx?hkey=dff5976f-35a7-406f-a226-efd45b4a5e9c)

When registering you can also apply to become a deductible gift recipient (DGR). This is explained in the next section 'Tax Issues'.

## 2.3 Tax issues



### Relationship with the Taxation Office

When you make your first application to the Taxation Office you will be able to establish a contact person, or responsible person, to deal with the Taxation Office. They advise:

Only primary contacts (including public officers), authorised contacts, registered tax agents, registered BAS agents, temporarily appointed tax professionals and specialist tax advisers can contact us on behalf of an entity.

#### Primary contact

A primary contact (previously known as an entity representative) has authority to:

- access all roles on their client's account
- add, remove and update the list of authorised contacts.

The primary contact must be able to establish their identity at contact.

If you are registered for GST, the contact person would normally lodge Business Activity Statements (BAS) for your club. They don't necessarily have to prepare it.

Should you need to change your contact details, for example, your contact is retiring, you do this at: [Update your details](#)

## Deductibility of gifts received

The Tax Office explains when gifts to a charity can be tax-deductible for the donor:

### Receiving tax-deductible gifts

When people donate to your organisation they may seek a tax deduction.

To receive such a deduction, certain requirements must be met.

The most important things for you to do to ensure your donors can claim tax deductions are:

- ensure your organisation is a DGR\*
- understand gift and contribution conditions
- provide receipts with specific information.

A donor will follow different rules for claiming a tax deduction depending on whether their donation is a gift or a contribution, so it's also important you understand the difference between a gift and a contribution:

- A donor **does not** receive material benefit in return for their **gift** (for example, a donor puts \$5 in a collection box)
- A donor **does** receive a material benefit in return for their **contribution** (for example, a donor purchases a ticket to a fundraising dinner).

## Apply for DGR endorsement

If you did not obtain endorsement as a DGR when you registered as a charity with ACNC, you can apply to the Taxation Office for endorsement, see:

<https://www.ato.gov.au/Forms/Application-for-endorsement-as-a-deductible-gift-recipient/>

The essential requirements of a DGR are:

- It has a charitable object or objects
- It does not distribute any profits to its members
- It has a dissolution clause that requires any remaining assets to be distributed to another DGR

Also, records should be kept for a minimum of five years.

### Gift fund

If your club is not incorporated, for example it operates out of a yacht club, there may be grounds where your host yacht club could establish a gift fund for purposes or receiving tax deductible donations. The purpose of the fund would need to be charitable, such as supporting the Sailability group within your club.

This possible area for consideration is technically complex. We recommend you obtain professional advice or a ruling from the Taxation Office about the facts of the arrangement you are considering.



## Charity endorsement

The Taxation Office advises:

Charities must be endorsed by us to be income tax exempt.

Charities, including ... public benevolent institutions ... must be registered with the Australian Charities and Not-for-profits Commission (ACNC) before we can endorse them to access charity tax concessions.

If your organisation is a charity, it cannot self-assess as income tax exempt, even where it might fall in the description for a type of entity that can self-assess. Instead, it must meet the requirements for charity registration and then become endorsed to be income tax exempt.

Eligibility for charity tax concessions?

The Taxation Office advises:

Charity tax concessions endorsement is where we approve an organisation to access concessions such as income tax exemption, GST concessions and FBT concessions.

Charity tax concessions endorsement is only available to charities registered with the Australian Charities and Not-for-profits Commission (ACNC). If your NFP organisation is a charity that chooses not to register with the ACNC, it cannot apply for endorsement with us and it will not be exempt from income tax.

To be endorsed to access charity tax concessions, your charity must:

- have an Australian business number (ABN)
- be a registered charity with the ACNC
- meet any requirements relating to the particular charity tax concession you are seeking.

In summary, if you are a separately incorporated Sailability club and you have an ABN, are registered with the ACNC and have been endorsed as a DGR, you will be exempt from income tax and the GST and FBT concessions will apply.

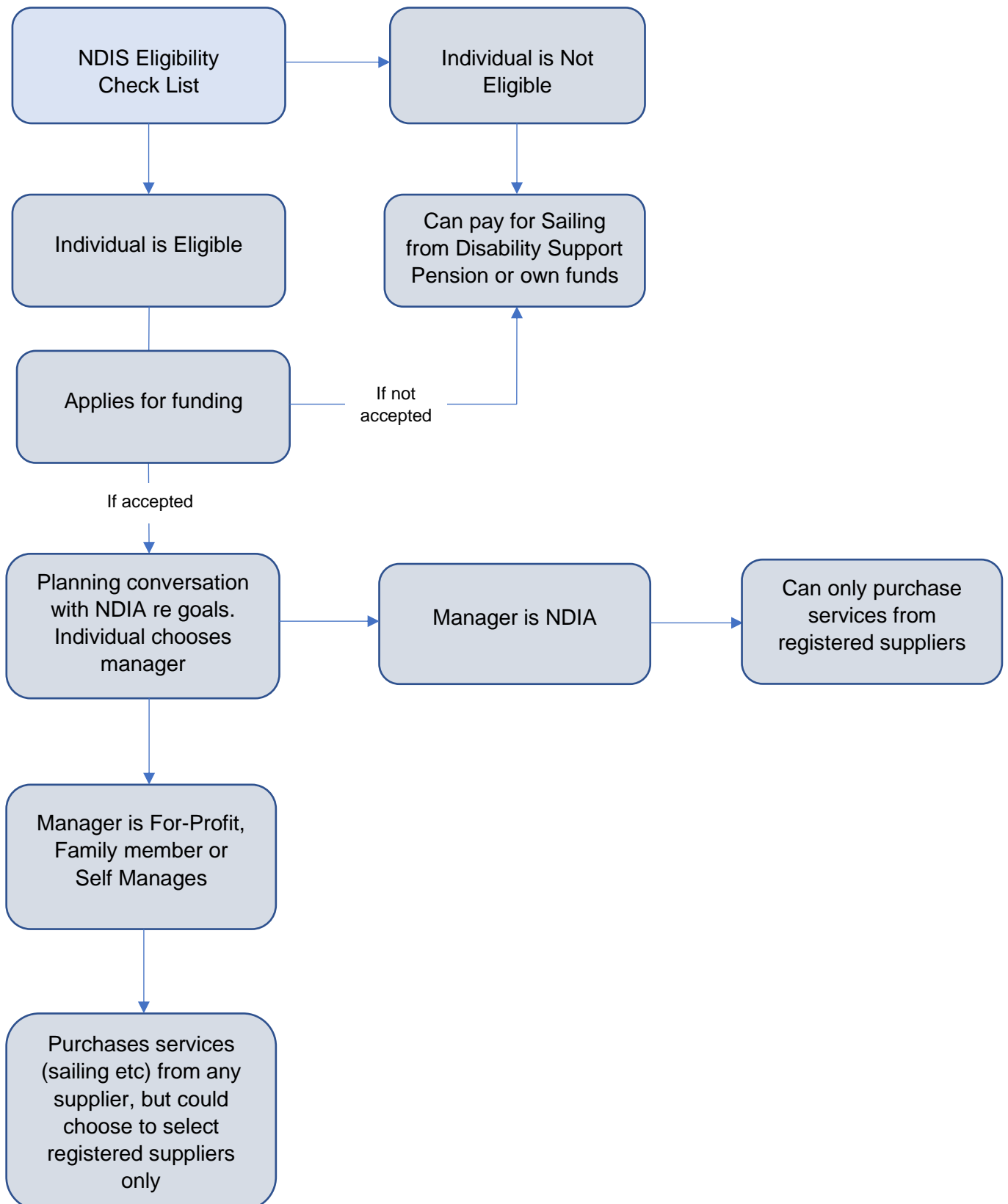
As Sailability clubs in Queensland do not employ paid labour the FBT concessions are not relevant. For GST purposes you are not required to register unless your 'turnover' exceeds \$150,000 per annum. Registration is voluntary below this figure.

If you are contemplating GST registration, Sailability Queensland can discuss this with you. We also have a GST guide written specifically for Sailability clubs in Queensland.

## 2.4 NDIS

Sailability Queensland recommends a watching brief and does not recommend registration for NDIS. This chapter is for information only to demonstrate what might be involved for you.

### 2.4.1 OVERVIEW



## 2.4.2 About NDIS

### Snapshot

#### National Disability Insurance Scheme Act 2013

The NDIS comprises three broad things,

- services or activities in the nature of coordination, strategic or referral services or activities
- funding for persons or entities to enable them to assist people with disability to participate in economic and social life, and
- individual plans under which reasonable and necessary supports will be funded for people (section 8)

Underlying principles,

- (1) People with disability are assumed, so far as is reasonable to have capacity to determine their own best interests and make decisions that affect their own lives.
- (2) People with disability will be supported in dealing with the NDIA so that their capacity to exercise choice and control is maximised.
- (3) The NDIS is to:
  - (a) respect the interests of people with disability in exercising choice and control about matters that affect them
  - (b) enable people with disability to make decisions that will affect their lives, to the extent of their capacity, and
  - (c) support people with disability to participate in, and contribute to, social and economic life, to the extent of their ability. (section 17A)

#### Disability requirements

You need to be an Australian citizen or permanent resident under the age of 65.

#### **4. Do you usually need support from a person or equipment to do everyday things for yourself because of an impairment or condition that is likely to be permanent?**

To meet the NDIS disability rules you need to have an impairment or condition that is likely to be permanent (lifelong) and that stops you from doing everyday things by yourself.

The following questions may help you decide if your answer is 'yes'.

Do you usually need support from a person or assistive equipment so you can:

- understand and be understood by other people?
- make and keep friends and cope with feelings and emotions?
- understand, remember and learn new things?
- get out of bed and move round the home and outside the home?
- take a bath or shower, dress and eat?
- do daily jobs, handle money and make decisions?

Question 4 is from the NDIS at <https://www.ndis.gov.au/ndis-access-checklist>

In general the person will require support under NDIS for life if,

- they have one or more intellectual, cognitive, neurological, sensory or physical impairments (sometimes varying in intensity)
- the impairments are permanent, and
- they result in substantially reduced functional capacity to communicate, socially interact, learn, be mobile, self-care and self-manage, socialise or work

#### 2.4.3 NDIS Provider registration

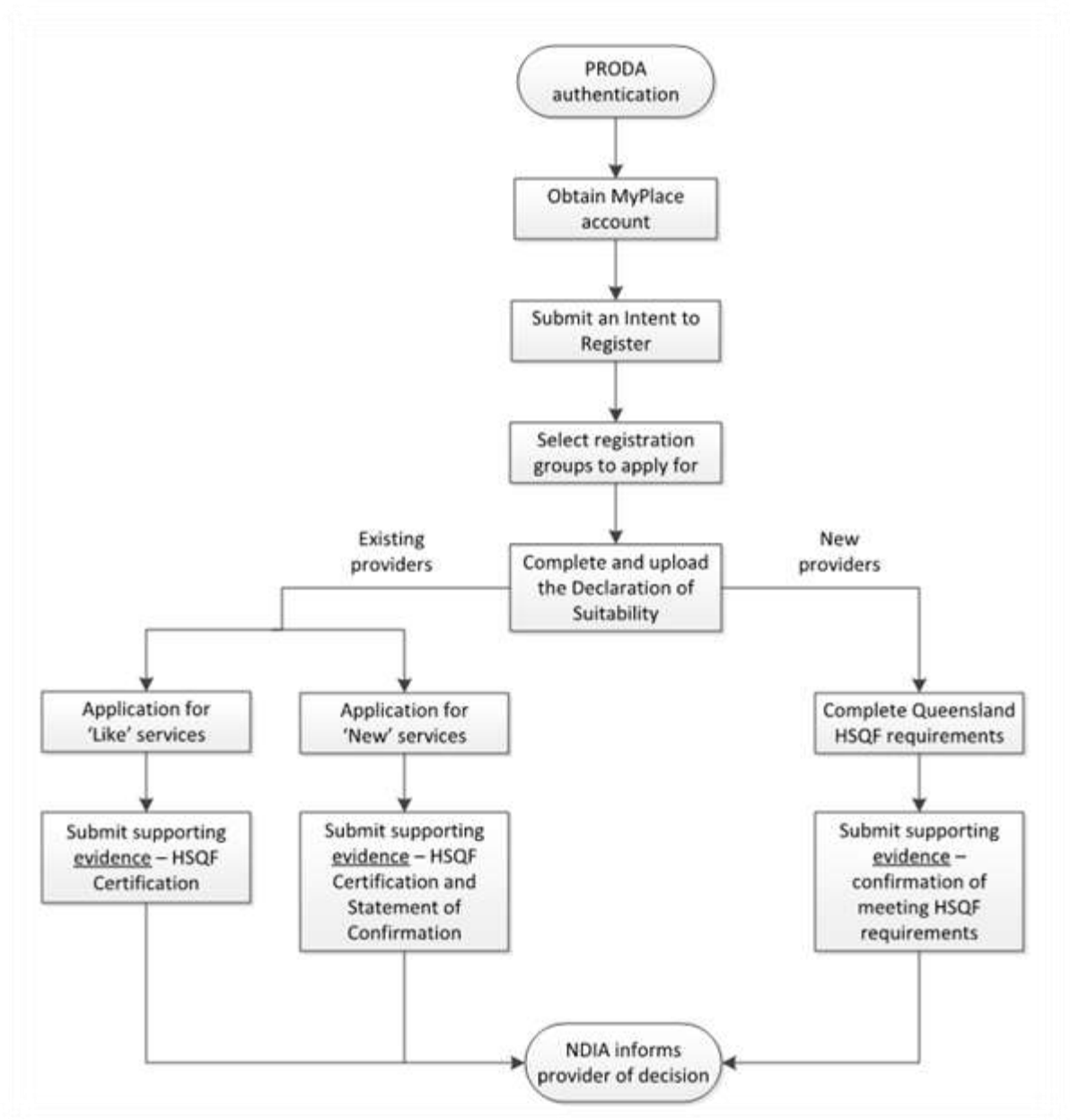
The NDIS may make rules for registered providers of supports to comply with, including about business practice and the consequences of non-compliance (section 73).

A person or entity may apply to be a registered provider of supports either for (a) managing the funding for supports under plans, or more relevantly, the provision of supports (section 69). If a plan is managed by the NDIA then only a registered provider can supply supports under that plan (section 33).

The NDIS may make rules about a requiring a registered provider of supports to have certain safeguards, quality assurance and procedures, qualified personnel and processes to deal with conflicts of interest, governance and business practice (section 73). In particular evidence of compliance with:

- Qld Human Services Quality Framework
- Adherence to the Disability Services Act 2006
- Adherence to other State legislation, and
- Adherence to Qld Abuse, Neglect and Exploitation policy

#### 2.4.4 Registration process for providers in Queensland



In summary, the registration process requires:

- an individual volunteer from your club registering for a provider digital account (PRODA) through the myplace portal (more individuals then added later)
  - creating a myplace account
  - submitting an intent to register
  - selecting registration groups (types of services)
  - nominating professions of people who will provide the services
  - signing a declaration of suitability, and
  - providing supporting evidence and documentation.
- Further information may then be requested.

## 2.4.5 Invoicing and payments under NDIS

### NDIA managed participant

If providing supports to an NDIA managed individual you must be a registered provider (section 33).

To receive payment for services or supports for participants who are **NDIA managed**, providers are required to submit a Payment Request electronically through myplace.

To successfully claim you must have:

- participant name
- participant Reference Number (previously NDIS number)
- dates of support
- support Item Reference Number
- support Item Price.

There is a more detailed guide on the myplace portal.

### Plan managed participants

To receive payment for services or supports for participants who are **Plan Manager managed**, providers are required to send invoices to the participant's Plan Manager who will manage the payment request process through myplace and pay the provider.

### Self-managed participants

Participants who are **self-managing** their plan are required to be invoiced by and make payments to providers directly. Participants will require a receipt from the provider to acquit the expenditure against their plan.

See <https://providertoolkit.ndis.gov.au/61-making-payment-requests>

### How much can I charge?

The NDIA sets price limits, not prices, for supports. There is no need to charge the maximum price. What you do charge must represent value for money, that is, the costs are reasonable and relevant.

NDIA has a price guide in the form of a spreadsheet with some 900 items (lines) NDIS will pay for. The guide applies as follows:

- Providers for agency - managed plans must be registered providers and are subject to the pricing arrangements in the price guide (price caps, quotes etc.)
- Plan managers can purchase supports on behalf of participants from either registered or unregistered service providers, but they submit claims according to line items in the support catalogue, and they are responsible for ensuring that these claims adhere to the arrangements in the NDIS Price Guide, including price limits for some supports
- Self - Managing participants can use registered or unregistered service providers and are not subject to the pricing arrangements in the NDIS Price Guide.

These rules are described in the NDIS Terms of Business. Specifically, plan managers are registered providers, and therefore subject to the following clause in Terms of Business - *"Registered Providers must adhere to the NDIA Price Guide or any other Agency pricing arrangements and guidelines as in force from time to time."*

In the Price guide there are categories for Increased Community Participation Activities (category 3.09) and Physical Well-being activities (category 3.12) that may fit Sailability. See, <https://www.ndis.gov.au/medias/documents/h4a/ha4/8805126078494/201718-VIC-NSW-QLD-TAS-Price-Guide.pdf>

### 3. Returns & payments

---

#### Equipment and people insurances

Sailability Queensland coordinates insurance for affiliated Queensland Sailability clubs, including where relevant, non-incorporated clubs operating in conjunction with a yachting club. Insurance is a vital protection for your club and its volunteers and sailor clients. At times the currency of your insurance will need to be demonstrated, such as to special schools, or when applying for a grant.

Two main policies<sup>1</sup> are negotiated by Sailability Queensland annually on your behalf:

- A [combined personal accident policy](#). This covers all participants for sports injury. It includes public liability cover to \$20m. and professional indemnity to \$1m.
- A [marine pleasurecraft insurance policy](#). This covers club equipment (as nominated) and includes a restricted personal accident liability cover, similar to motor vehicle general accident insurance.
- We use A.J. Gallagher as our broker

How the process works for people insurance

- When it is time to renew your personal accident insurance the broker or Sailability Queensland will contact you
- You will need to check your previous year attendance records and select the day in that year with the highest total for actual attendees calculated as –
  - Volunteers + sailor clients + any support workers who sail on that day
  - Carers who do not sail should not be counted. They should be covered by their own or their employer's insurance

**Note.** Whilst the highest numbers method is generally the most reliable guide, where other significant issues occur you should take these into account and if unsure, check with the Coordinator. Also other people such as support workers, parents and visitors who do not sail **are not counted**.

- Clubs will pay their account direct to the broker.

Your insurance responsibilities

So that you do not void your club's insurance it is important to,

- Ensure that the details you submit are accurate so as not to underinsure or make a material exclusion
- Complete an Incident Report in the event of any incident involving an injury, regardless of whether you anticipate making an insurance claim. The report should include the time and relevant facts of the incident and the names of those involved (including any witnesses). **IMPORTANT** - The report is about facts and should not contain any opinions about what or why the incident happened.
- Retain a copy of the incident report in club records and retain the copy for a minimum of five years (as a claim may be made up to five years after an incident has occurred)

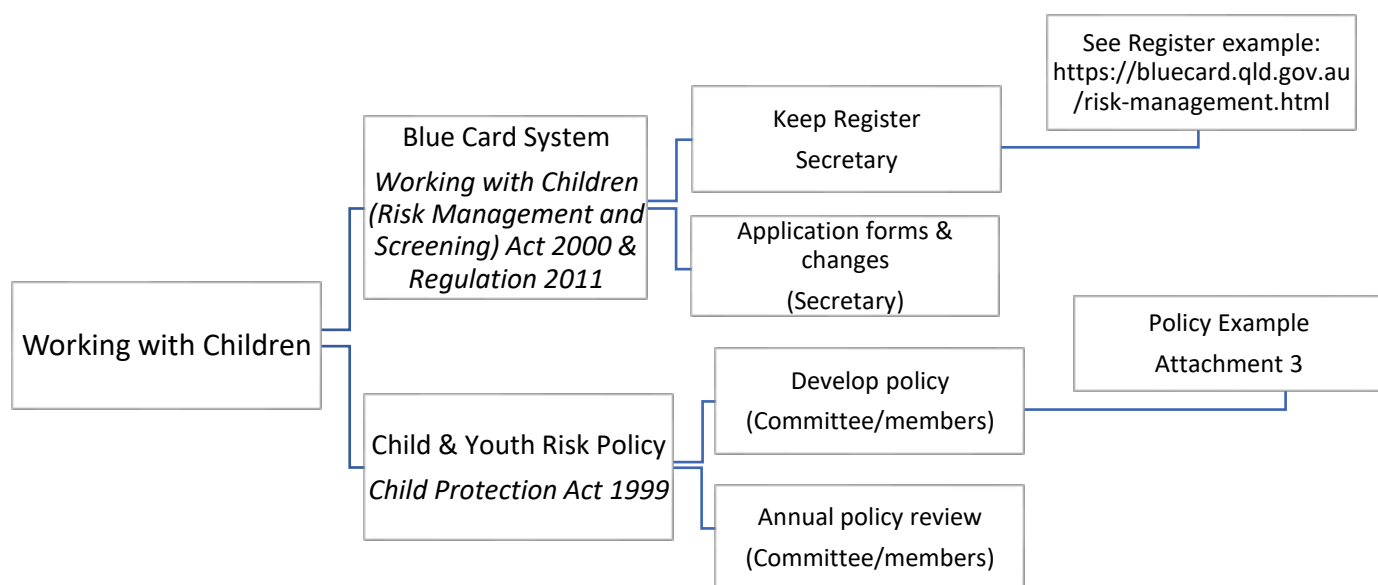
---

<sup>1</sup> Sailability Queensland recommends all clubs take out Directors' Insurance from 2020  
Policies are also negotiated for vehicle and shed insurances for some clubs.



- Notify the broker if you need to make a claim
- Maintain and review your Risk Assessment
- Always conduct your activities with a designated Safety Officer (this may be the Officer of the Day, OOD)
- Always operate your club's activities in accordance with Sailability Queensland's safety recommendations
- Ensure you lodge your Office of Fair Trading annual return and pay the required renewal fee for your incorporation. This provides important protection for committee members, office bearers and the club in general

## 4. Working with Children, Blue Card and Child Risk Policy



### Blue Card System

The blue card system is designed to provide a safe environment for children and young people. It combines a review of a person's history with continual monitoring of police information. This is supplemented by an organisation's youth risk management strategy.

Sailability Queensland believes it is appropriate to apply the system to all of our sailor clients regardless of age or capacity. It is advisable that all volunteers have a positive blue card unless their duties are 'off-site' such as performing administrative duties at home or cleaning during non-sailing times.

#### Applying for a Blue Card

Clubs (the employer) are responsible for applying to Blue Card Services for a blue card for volunteers or notifying Blue Card Services if the person already holds a blue card.

Clubs must also make sure the volunteer's identification documents are sighted by the designated person responsible. They must verify that the signature on the application or card matches the signature on their identification documents. For convenience a photograph of a volunteer's driver's licence can be taken (and later deleted).

When you sign a declaration form you must declare you are not a disqualified person. Clubs must advise applicants orally that it is an offence for a disqualified person to sign a blue card application.

## Youth Management Strategy

Information required in a strategy

To comply with the legislative requirements, a child and youth risk management strategy must include:

- A statement of commitment about maintaining the safety and wellbeing of young people
- A code of conduct outlining your values, with clear expectations for all
- Policies for volunteers (unpaid volunteers are defined as employees for Blue Card purposes).
- Procedures for handling disclosures and suspicions of harm
- A plan for managing breaches of your child and youth risk management strategy, including consequences
- Policies and procedures for compliance with the blue card system, which will include a volunteer (employee) register (see example at: [employee register template](#) )
- A risk management plan for high risk activities and special events, if applicable (see example: [risk management plan template](#) )
- Strategies for communication and support

Process for developing a plan

1. Decide on your policy and procedures
2. Identify the issues and outcomes of your policy
3. Refer to your rules and, if appropriate, your business plan
4. Consult widely, including with volunteers, clients and their support workers, management committee, other Sailability clubs, SQ and YA, government and community members as necessary
5. Develop a draft policy using direct and simple language
6. Encourage discussion and provide feedback
7. Have your final draft endorsed by the management committee
8. Then, review at least annually

The purpose of the development phase is to:

- Promote a sense of ownership leading to support for your policy
- Provide a clearer understanding of everyone's responsibilities and rights
- Encourage intra and inter club discussion and empower your people

An example of a child risk management strategy can be found under [Resources](#) on the [Sailability Queensland website](#).

## 5. Operations

### Risk Management

#### Specific compliance requirements

Some client and carer organisations have specific compliance requirements and it is important to comply with these wherever possible. For example, Education Queensland requires principals to complete a risk assessment document. You may have been asked by a Special School to send them a copy of your club's document.

Sailability Queensland will be supporting clubs with their risk management from 2020.

### Marine Safety Queensland (MSQ) requirements

MSQ has determined that Sailability is a commercial operation for purposes of the *Transport Operations (Marine Safety) Regulation 2004*. It has approved an exemption for Sailability operations. The exemption means that our support boats **do not** require commercial registration. But, Sailability clubs in Queensland will need to meet these conditions,

1. Prior to operation under the exemption, Sailability clubs must advise the relevant MSQ regional office of the intended Recreational Marine Drivers Licence (RMDL) details of participating masters, registration numbers of intended participating boats and the proposed location of activities. And, gain approval from the relevant Regional Harbour Master or Regional Director (Gold Coast) before commencing marine activities under the exemption.
2. A copy of this Notification of Exemption must be carried on the vessel while it is operating.
3. The vessel must be operated by a master who holds at least a current Queensland RMDL or a current equivalent licence issued under the law of another Australian State.
4. Operations under the exemption are only between sunrise and sunset.
5. The vessel must be operated in accordance with the Sailability Queensland Risk Management Plan, which includes at least,
  - Emergency procedures, records of vessels, records of masters, and an action plan to ensure the vessel does not interfere with the general operation of other vessels.

You can download the MSQ exemption at [www.sailabilityqueensland.org.au](http://www.sailabilityqueensland.org.au) under the documents tab. \*\*

### Boats and equipment

Most Sailability equipment is subject to sun damage and should, where possible, be stored out of the sun. Visual quality of our equipment may also be judged by our clients and potential volunteers.

Maintaining equipment in good condition and in a secure state, including any on loan from Sailability Queensland forms part of your duty of care and should not be treated lightly. If you have equipment such as trailers, boats or infrastructure on loan it will be insured by Sailability Queensland.

## PFD Servicing

The requirements of servicing inflatable lifejackets are explained by the Department of Transport at <https://www.msq.qld.gov.au/Safety/Life-jackets.aspx>. In summary:

### Servicing inflatable lifejackets

...

... One aspect of inflatables that boaters are often unaware of is that QLD regulations require inflatable lifejackets to be **serviced at least annually**, unless the manufacturer specifies and permits a longer period.

### Manufacturer's servicing

Some manufacturers require you to have your lifejacket serviced by them or by an authorised agent...

... Contact the manufacturer or the place of purchase for further details.

### Self-servicing

Some manufacturers allow you to 'self-service' your lifejacket, provided you do so in accordance with their instructions.

If the manufacturer allows self-servicing you should be competent to do so. Otherwise you should get it serviced professionally...

If you are self-servicing, follow the manufacturer's instructions carefully. If there is a service record in the inside of the jacket, sign and date the service record with a permanent marker. If not, make a paper record of your own and keep a copy.

Keep all servicing receipts and certificates of servicing as documentary evidence of the service occurring...

### How to self-check your inflatable lifejacket guide

Self-checking a lifejacket can be done at any time to ensure the jacket is functioning properly.

If you want to self-service your lifejacket, follow the manufacturer's instructions for your specific lifejacket model:

#### Step 1

Check for visible signs of wear and damage. Ensure all fastenings and buckles are in good working order.

#### Step 2

Following manufacturer's instructions, reveal the inflation system and oral inflation tube. Inflate bladder using the oral tube and leave overnight in a room with constant temperature. If the bladder loses pressure, immediately take jacket to an accredited service agent for further tests.

Do not attempt to repair jacket yourself.

#### Step 3

Use cap attached to the oral inflation tube to deflate bladder. Invert cap and press down on valve at the top of the oral tube. Do not insert other objects into top of tube as they may damage the valve. Roll or press jacket to deflate fully.

#### Step 4

Remove CO2 cylinder and inspect. The cylinder should be intact with no rust or corrosion. Weigh cylinder on kitchen or letter scales, ensure weight corresponds to the minimum gross weight engraved on cylinder  $\pm 2g$ . If cylinder is rusted, corroded, has been pierced or is not the correct weight it should be replaced immediately. On auto inflation jackets also ensure auto components are armed and in date. Refit cylinder to inflation system, tightening it by hand until firm. Do not over tighten.

#### Step 5

Repack jacket as per manufacturer's instructions. Ensure manual inflation toggle is accessible and unlikely to be caught when being worn in general activities.

## Training and procedures

We recommend you appoint a Training Officer who is suitably qualified or experienced to oversee training and certifying of volunteers, particularly those with a 'Level One' responsibility.

### Level 1 Responsibilities

The officer of the day (OOD) has overall responsibility for all on-water and on-shore operations, including:

- Support boat skipper
- Dinghy, yacht and any other power boat skippers
- Registrar

### Level 2 Responsibilities

- Boat crews
- PFD assistants
- Crane (hoist) operators
- Client (sailor) coordinator and runner
- Radio operations (where used)

### Recommended training

(Provider by members or externally, for example by another Sailability club or YQ)

#### Level 1 training

- Club committee to minute specific training with qualification of each volunteer
- List of volunteers' qualifications (for each role) to be kept
- OOD to keep informed of list so can call on people for particular tasks

We recommend you document the requirements for each role. \*\*

#### Level 2 training

On the job training is to be conducted by the Training Officer or another person appointed by the Training Officer.

#### First aid

First aid training is critical to safety and risk management.

Trained first aid officers should be present on shore and on the water where possible.

Volunteers who are trained in first aid could record this in the volunteer sign-on book.

Where possible it would also be beneficial to have a volunteer trained in cardiopulmonary resuscitation (CPR).

## MOB procedures

See the example guide on the Sailability Queensland website under resources for preparing a MOB plan.

## Forms and other documents

### Document

### Comments

Officer of the day (OOD) Checklist

Sailing Coordinator Client Worksheet

Runner Worksheet

Incident Report

Annual Statistics return

Life Jacket (PFD) Maintenance record

These forms will be made available in the early part of 2020 on the Sailability Queensland website

## 6. Stakeholder Communication

---

### Committee and volunteers

Volunteers are special people who are critical to our existence.

Volunteer attributes include,

- Sailing experience, trade and professional skills
- A desire to help those with disability and fellow volunteers
- A need for companionship and, sometimes recognition, and
- Problem solving and people skills

It is important for your committee to understand and listen and look out for each volunteer. They are valuable and they have volunteered for different reasons. Look to make their volunteering experience a happy one, if volunteers are well trained and respected they will have a positive experience.

### Care of new volunteers

Do you remember your first Sailability day?

First impressions are particularly relevant to a new volunteer, especially if they don't have a background in volunteering or sailing or they are shy. So, it is important that they be identified and cared for if we expect them to stay.

- Make them welcome and introduce them to others
- Have them sign in with a phone number and email address
- Give them a name tag
- Assign them to an experienced volunteer who will show them around and answer their questions and, if they show sufficient interest, assign them to a task
- Where possible, take them for a sail on their first day
- Introduce them to the officer of the day
- At the end of the day review their experience by discussing how their day went. Give them an information pack \*\* that includes key things about your operations, your contacts, website and/or Facebook links etc. The information pack may include a blue card application which you may process if the volunteer becomes regular.
- Advise them of your next sailing day and invite them to attend. You may wish to follow your invitation up with a phone call
- Ensure your new volunteer is cared for on subsequent days until they have settled in
- Include new volunteers on mailing lists
- Map out a training program

### Other activities for volunteers

- Give clear and fair directions for roles and ensure your volunteer is able to accomplish the role or task
- Review training and skills levels and, where possible, provide or advise of opportunities
- Share your knowledge. Knowledge is powerful but only if you use it to benefit others.
- Recognise individual needs, for example, when a particular volunteer requires a break or change of activity



- Encourage volunteer interaction, promote a team environment
- Hold training and maintenance days
- Consider club events to reward your volunteers
- Encourage observers to committee meetings if interest is shown

#### Dealing with an issue

Because your people have volunteered they will usually be compliant with directions or requests but, on occasions it is only natural that an issue may arise.

If the issue is of a minor nature it can normally be resolved by the officer of the day or any committee member(s) present. Your rules will explain how a more serious matter should be handled. Where something can't be resolved within reason by your club recourse can be had to the Sailability Queensland committee.

#### Recruitment opportunities

- Community announcements on radio or in local newspapers
- Staffed displays at public events, shopping centres, yacht clubs etc
- Volunteering Queensland – several clubs have found this a successful avenue
- Guest speaker – Rotary, Lions and other service clubs, seniors' associations. Sailability has a great story to tell
- Invitations to community leaders to promote Sailability
- Sponsor and community open days
- Centrelink – with caution as some clubs have raised concerns at the calibre of some volunteers sourced through this avenue
- Word of mouth through existing members
- Strategic placement of business cards or flyers with local businesses or identities

#### Sponsors and grants

In July 2019 at the Airlie Clubs' conference a paper was presented on applying for a grant. The presentation was made available to clubs. If you have misplaced your copy please contact Sailability Queensland.

#### Marketing

Check the Australian Sailing website for marketing advice, including flyers on:

How to develop meaningful and effective media relationships that will benefit my club/organisation?

How to write a marketing plan for my club/organisation?

How to develop media relations materials?

How to engage on social media?

Discover Sailing and Sailing Pathways to individual achievement

Yachting Australia offers a pathway to individual achievement through Discover Sailing days and Discover Sailing experience that can take you from a mere beginner to higher levels of sailing.

The pathway

<http://www.sailing.org.au/participation/sailing-pathways/the-sailing-pathway/>