



Wesley Mental Health

# Wesley LifeForce Suicide Prevention Networks

## Setting up your network

# Understanding Governance



# 1 2 3

**‘Do all the good you can, by all the means you can, in all the ways you can, in all the places you can, at all the times you can, to all the people you can, as long as ever you can.’**

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## Foreword

Since the Wesley LifeForce suicide prevention program was first established in 1995, we have been a leading advocate of suicide prevention in Australia. In fact, we now train over 1300 people a year to help combat this extremely important social issue.

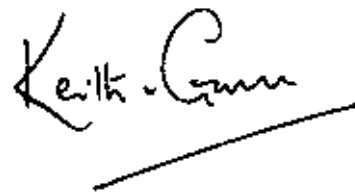
Wesley LifeForce prides itself on working with local communities to develop suicide prevention networks. These networks act as a conduit to bring the latest suicide prevention strategies to where they are needed most. The networks also help us bring together community participants wanting to take a more active role in suicide and mental health issues in their local area.

This booklet is designed to educate networks about the importance of putting governance and legal structures in place, while providing advice on simple but necessary risk management procedures. It forms part of a suite of governance resources for networks at various levels of establishment. Included in the suite are factsheets and templates designed to be used to answer any questions you might have about running, governing, managing, and delivering the activities of a suicide prevention network.

On top of these fact sheets and templates, the suite comprises of:

- **Booklet 1 - Understanding Governance:** A simple to apply approach to the governance of a network in its early stages.
- **Booklet 2 - Delivering Network Activities:** A guide to the everyday running of a network.
- **Booklet 3 - Managing Network Finances:** A guide to the raising and management of money for beginning networks.
- **Network Governance Online:** A resource system covering a wide range of topics for networks at all levels.

On behalf of everyone at Wesley LifeForce, we would like to thank you for your involvement in the cause of suicide prevention in Australia, and hope that you and your network can use these publications to the benefit of our community.



Rev Dr Keith V Garner  
Superintendent/CEO  
Wesley Mission



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# **1. Corporate governance for Wesley LifeForce suicide prevention networks**



## 1. Corporate governance for Wesley LifeForce suicide prevention networks

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### Corporate governance for Wesley LifeForce suicide prevention networks

#### Why corporate governance?

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**Corporate governance is the legal authority given to the board or management committee of an organisation to manage the affairs of the organisation and its consequent implementation.**

The board or management committee is legally responsible for the wellbeing of the organisation.

For Wesley LifeForce networks not yet incorporated the practice of good governance prior to incorporation not only serves as a useful and necessary preparation but also gives some assurance to funding bodies that the organisation is capable of managing the funds it receives and the obligations it has.

To carry out this role, members need to ensure that the organisation:

- sets a clear direction for the organisation's future and achieves its purpose
- clarifies its aims, objectives and rules and follows these
- knows relevant legislation that applies, complies with this and meets any contractual obligations
- keeps proper financial records and remains financially solvent
- monitors and reviews its performance
- conducts its business honestly and with integrity

It is important to note - Wesley LifeForce networks will have different approaches to governance depending on their stage of development.

These booklets have been developed to cater for the governance needs of suicide prevention networks with a range of development and governance needs.



## **2. Your legal structure**





## 2. Your legal structure

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### Your legal structure

This section addresses the following questions:

- what legal structure do we now have and why is this issue of legal structure important?
- what options are there for our network's legal structure in the future?
- how may these options be realised?

Please remember this is a guide only and it is highly recommended you seek legal advice.

#### 2.1 Legal structure for networks

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The choice of legal structure for a not-for-profit (NFP) is quite large, but the main ones of relevance to networks are:

##### Unincorporated Associations

An unincorporated association is not a legal entity. A network that is unincorporated is unable to:

- accept gifts or bequests
- buy and sell property
- invest and borrow money
- open a bank account
- sue and be sued
- take out public liability insurance

Unincorporated associations have no regular reporting requirements except GST concessions, Fringe Benefit Tax (FBT) concessions and income tax exemptions for which they may qualify. Please refer to *Fact Sheet 1: Should Your Network Incorporate: A Checklist*, for further information.

##### Incorporated Associations

Your network becomes a 'legal person' (that is, a legal entity that stays the same even if its members change). It can do the following things in its own name:

- accept gifts or bequests
- buy and sell property
- invest and borrow money
- open a bank account
- sue and be sued
- take out public liability insurance

Incorporated associations are regulated by state and territory associations incorporated legislation that protect its members from the debts and liabilities of the association.

Please refer to Fact Sheet 1 for further information.

##### Companies Limited by Guarantee

Companies limited by guarantee (CLG) are a form of public company administered by the Australian Securities and Investment Commission under the Corporations Act 2001.

##### Indigenous Corporation Corporations

This body is similar to a company limited by guarantee and is registered under the Aboriginal and Torres Strait Islander Act 2006.

#### 2.1.1 Your current legal status

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All current Wesley LifeForce networks are:

- unincorporated associations under the auspice of Wesley Mission

or

- incorporated associations managed locally but linked with other suicide prevention networks served by Wesley LifeForce

or

- part of a larger local organisation which auspices them and provides their legal identity (e.g. local government authority) also linked with other networks served by Wesley LifeForce.

It is important to understand this as your network starts to function, particularly those organisations under the auspice of Wesley Mission.

## 2. Your legal structure

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### 2.1.2 Legal status of unincorporated associations auspiced by Wesley Mission

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Wesley Mission can best be described legally as a part of The Uniting Church in Australia Property Trust (NSW) (“the Property Trust”) which is a body constituted by the Uniting Church in Australia Act. (‘Property Trust’) 1977, and holds the assets of The Uniting Church in Australia, Synod of NSW and the ACT.

Those unincorporated networks established with Wesley LifeForce’s support thus have a measure of legal standing derived from The Uniting Church in Australia Property Trust (NSW).

It is not intended that unincorporated networks will always remain part of Wesley Mission’s Uniting Church legal structure. The philosophy of their strategy is that networks will achieve independence and local relevance.

Thus all unincorporated Wesley LifeForce networks should have a firmly fixed objective of becoming incorporated or merging with an incorporated body, even though still being supported by and affiliated with Wesley LifeForce as part of the national framework.

### 2.2 Why incorporate?

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Incorporation is a voluntary, simple and inexpensive means of establishing a legal entity. It is an alternative to forming, for example, a company limited by guarantee or a cooperative, and is particularly suitable for small, community-based groups.

Incorporating establishes your group as a legal entity, which allows your network to:

- continue regardless of changes to membership
- cover itself if activities of the association involve any real risk of personal injury or of any other claim for damages
- accept gifts and bequests
- buy and sell property
- enter into enforceable contracts  
e.g. for government funding
- sue or be sued and
- apply for and receive government grants.

#### 2.2.1. Some issues with incorporation

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Incorporation as an incorporated association or as a company limited by guarantee does require some regular and ongoing compliance with government regulation, and this does incur some cost in time and money.

Incorporation also means:

- being open to public scrutiny of the network’s financial matters and activities
- being prepared to follow the regulations as set down by government. See Table 2 State/territory bodies for registering/regulating an incorporated association
- meeting mandatory requirements for public liability insurance and
- the keeping of proper membership records and minutes

#### 2.2.2. A checklist for your management committee

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Your group could now use *Fact Sheet 1: Should your network incorporate?* A checklist to help decide on this issue.

## 2. Your legal structure

### 2.2.3 What form should your incorporation take?

The various characteristics and requirements of the three main options of incorporated associations, company limited by guarantee, and indigenous corporation are as shown in the table below:

Table 1 Features of legal structures for organisations

	Incorporated association	Company Limited by Guarantee	Aboriginal and Torres Strait Corporation
<b>Regulating Authority</b>	State/territory authorities (refer Table 2)	Australian Securities and Investment Commission under the Corporations Act 2001	The Office of the Registrar of Indigenous Corporations (ORIC)
<b>Description</b>	A simple and inexpensive means of incorporating non-profit groups in states and territories	A special form of public company using a company structure with 'directors' and with 'members' instead of 'shareholders' Many governments require NFP organisations to incorporate as companies, either to obtain grants or for licensing <sup>1</sup>	Similar to a company limited by guarantee, although ORIC has some additional powers
<b>Jurisdiction</b>	Can only operate in the state/territory of their incorporation unless registered under the act as a 'Registered Australian Body'	Can carry on activities anywhere in Australia	Can carry on activities anywhere in Australia
<b>Required abbreviation and/or title</b>	Generally must use 'Incorporated' or 'Inc.' after its name	Generally must use the word 'Limited' or 'Ltd' after its name	Indigenous Corporation' plus the corporation's ICN (or other allowed variations)
<b>Ease of Establishment</b>	Easier and less expensive than a company limited by guarantee. May not be required by legislation to have audited accounts	More costly to establish than incorporated associations and generally have higher ongoing compliance costs. All must have audited accounts	No cost for establishment except for legal assistance
<b>Not suitable for</b>	A parent organisation which wants to set up a wholly owned subsidiary (i.e. with it as the sole member)	An organisation without the resources or enthusiasm for reasonably demanding legal compliance measures	Non-Aboriginal and Torres Strait Islander groups

<sup>1</sup> For example, the Aged Care Act 1997 (Cth), the Aged or Disabled Persons Care Act 1954 (Cth) and the Registered Clubs Act 1976 (NSW).

## 2. Your legal structure

Table 1 Features of legal structures for organisations (continued)

	Incorporated association	Company Limited by Guarantee	Aboriginal and Torres Strait Corporation
<b>Basic Cost of Incorporation</b>	Under \$200 for all states/territories as at October 2012	Under \$400 as at October 2012	No cost as at October 2012
<b>Number of Officers</b>	Minimum of 3 (for example chairperson, secretary, public officer)	Generally minimum of 3 (for example chairperson, secretary, public officer)	Minimum of 3 (for example chairperson, secretary, public officer)
<b>Members</b>	Minimum of 5 for most states & territories, exceptions being 6 in WA and 7 for Qld	Minimum of 5	At least 5 members or a lesser number of members as determined under the act
<b>Registered office required</b>	No, but a nominated address for service of documents is often required (differing state/territory requirements)	Notice of registered office required	Notice of current address must be filed and the office must be open to the public at least 3 hours a day
<b>Registers required</b>	Register of members and assets (differing state/territory requirements)	Members, directors and shares and loans, securities	Members, directors, secretaries and managers
<b>Auditor</b>	Required if value of total revenue or assets exceeds a certain amount (differing state/territory requirements)	Required	Required
<b>Insurance</b>	Compulsory in Qld if association owns or leases land	Not compulsory	Not compulsory
<b>Reservation of name</b>	Not required	Not required	Required on application

## 2. Your legal structure

### 2.2.4 State/territory bodies for registering an incorporated association

The following bodies and their websites listed provide details on how to establish an incorporated association in a state or territory

Table 2 State/territory bodies for registering/regulating an incorporated association

State/territory	Authority	Web address
Australian Capital Territory	Office of Regulatory Services	<a href="http://www.ors.act.gov.au">www.ors.act.gov.au</a>
New South Wales	Office of Fair Trading	<a href="http://www.fairtrading.nsw.gov.au">http://www.fairtrading.nsw.gov.au</a>
Northern Territory	Consumer and Business Affairs	<a href="http://www.justice.nt.gov.au">www.justice.nt.gov.au</a>
Queensland	Office of Fair Trading	<a href="http://www.fairtrading.qld.gov.au">http://www.fairtrading.qld.gov.au</a>
South Australia	Office of Consumer & Business Affairs	<a href="http://www.ocba.sa.gov.au">www.ocba.sa.gov.au</a>
Tasmania	Office of Consumer Affairs & Fair Trading	<a href="http://www.consumer.tas.gov.au">www.consumer.tas.gov.au</a>
Victoria	Consumer Affairs	<a href="http://www.consumer.vic.gov.au">www.consumer.vic.gov.au</a>
Western Australia	Consumer and Employment Protection	<a href="http://www.docep.wa.gov.au">www.docep.wa.gov.au</a>

### 2.3 Seven steps to incorporate your network

With a few minor differences the process of incorporating a network as an association is similar in most states and territories.

Here is a 7 step process for achieving incorporation:

#### Step 1. Hold an initial meeting to obtain members' approval for incorporation

People who are interested in forming a Wesley LifeForce Network in your area have no doubt already met a few times and their names and willingness to participate further are known. But to start the process of incorporation requires a more formal agreement from those who are participating. At a specially called meeting or as part of another meeting, a formal motion to incorporate needs to be voted on, and recorded to start the process. This meeting will also involve assigning the tasks to people from the group, as outlined in the table to the right.

1.	Hold an initial meeting to inform network members about the need for incorporation and obtain their approval for incorporation
2.	Determine a suitable name, and reserve it and check that the group is eligible for incorporation
3.	Decide on and document the main purposes of the network you wish to incorporate
4.	Develop a set of rules
5.	Hold a second meeting to resolve to incorporate, adopt the rules, approve the proposed name of the association, and appoint officers
6.	Advertise your intention to incorporate (WA only)
7.	Complete and submit the application and fee to the regulating state/territory department

## 2. Your legal structure

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### Step 2. Choose (and reserve) a name

Your network may already have a name, but you should now check the name you've chosen to make sure that it hasn't already been taken by another organisation. You will need to check the public register of names held by your state's department listed at Table 2 above.

Also check the register of names held at the Australian Securities and Investments Commission. You can do this on-line at [www.asic.gov.au](http://www.asic.gov.au).

You then need to reserve the name with the relevant state/territory department as at Table 2 above, on the correct form and with the correct requested fee.

### Step 3. Decide on and document the main purposes of the network you wish to incorporate

It's not so important for getting incorporation, but you should be aware that you may need to consider your written objectives carefully if you have any ambitions to gain tax exempt status later. An association can do almost anything, but a charity is a good deal more restrictive in terms of its objects.

Suggested wording might read:

*The object of the {Network Name} is to provide information and support to raise awareness and understanding of the issue of suicide in the local community and surrounding districts and to undertake suicide prevention activities.*

### Step 4. Draft a set of rules of the network (the constitution)

You may have a constitution already. Whether you do or not, you need to look at the Model Rules/Constitution for Associations set out in the relevant state/territory act.

Using these isn't compulsory, and you don't have to accept them as a whole. However, you need to make sure that your constitution covers all the topics that are in the Model Rules/Constitution — that is to say, if the quorum for the committee of management in the model constitution is five<sup>2</sup> you can still set your own committee's quorum at seven if you wanted to, but you will need to include a clause saying what the quorum is.

Most state/territory governments have identified on their websites just what matters must be included in an association's constitution. For example in NSW these are:

1. **Membership qualifications:** The requirements (if any) to become a member.
2. **Register of members:** The register of the association's members.
3. **Fees, subscriptions etc:** Any entrance fees, subscriptions and other amounts to be paid by the members.
4. **Members' liabilities:** A member's liability towards the debts and liabilities of the association.
5. **Disciplining of members:** The procedure (if any) for disciplining members, including an appeals process.
6. **Internal disputes:** The procedure for the resolution of disputes between members and between members and the association.

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<sup>2</sup> Model constitution under the NSW Associations Incorporation Act 2009 section 27 (2) p.13

## 2. Your legal structure

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7. **Committee:** The establishment, functions and processes of the committee.
8. **Calling of general meetings:** The procedure of holding and calling a general meeting.
9. **Notice of general meetings:** The process for notifying members of a general meeting or motion.
10. **Procedure at general meetings:** The quorum, procedure and requirements for conducting a general meeting.
11. **Postal ballots:** The types of resolutions that may be voted on by a postal ballot.
12. **Sources of funds:** The sources of the association's income.
13. **Management of funds:** How the association's funds are to be managed and the procedure for drawing and signing cheques on the association's behalf.
14. **Custody of books etc:** Who is responsible for the association's books, documents and securities.
15. **Inspection of books etc:** The procedures and costs associated for the inspection of books and documents by members.
16. **Financial year:** Defines the association's financial year.

*(A representative of the association is required to certify that the constitution complies with the requirements of the Act, including the above matters).*

Undoubtedly, the easiest course is to adopt the Model Rules/Constitution your state/territory government has provided.

*Fact Sheet 2: Recommended Constitution Clauses* provides draft constitution clauses Wesley LifeForce recommends are added to any network constitution. These clauses have been developed to protect network members, the assets of the network, the sustainability of the network and 'future proof' should the network decide to register as a charity through the Australian Securities and Investments Commission (ASIC) and seek tax exemption from the Australian Tax Office (ATO).

### Step 5. Hold a second meeting <sup>3</sup>

When the constitution has been drafted you will need to organise a meeting of the organisation to

- formally move for incorporation
- adopt its constitution
- appoint office bearers
- appoint a public officer
- authorise the public officer to lodge the application for incorporation.

### Required number of members

To qualify for incorporation your network meeting must have a minimum number of members who are listed as being members and who can vote for incorporation. In NSW this minimum number is five. This is also the case for all other states/territories except Western Australia which requires more than five (minimum six) and Queensland which asks for a minimum of seven members.

Before the meeting you will therefore have to identify people interested in being members and office bearers in the new association.

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<sup>3</sup> Work in this section has largely been based on the information provided by Our Community.com.au at [http://www.ourcommunity.com.au/directories/directories\\_article.jsp?articleId=2103](http://www.ourcommunity.com.au/directories/directories_article.jsp?articleId=2103) on 15 October 2012



## 2. Your legal structure

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### Resolutions

Prepare and type out the formal motions such as the following:

- I move that the [name of network] be formed, and that the [name of network] constitution and rules be those circulated at this meeting  
Moved NAME 1 Seconded NAME 2.
- I move that the [name of network] incorporate as an incorporated association under the provisions of the Associations Incorporation Act (or applying legislation in state/territory).  
Moved NAME 1 Seconded NAME 2.
- I move that the [name of the new network] be [first preference intended name], or if that name is not approved [second preference intended name], or if that name is not approved [third preference intended name].  
Moved NAME 1 Seconded NAME 2.

Arrange for one person to move each motion and another to second it.

Print out copies of the agenda, the motions and the constitution for as many people as you think will attend.

At the meeting you must appoint your office-bearers, a public officer (see below) and a person to make the application (this last person can be the same person as the public officer).

### Public Officer

When a group is incorporated, one member must be appointed as public officer, who must be over 18 and a resident of your state or territory. The public officer is responsible for lodging an annual statement each year and informing the regulating authority if:

- there is a change of public officer or a change of registered address
- there is a change of name
- the association's legal structure is to change in any significant way

### Step 6. Advertise your intention to incorporate (WA only);

In Western Australia an association must advertise its intent to incorporate once in a registered newspaper circulating in the area where the association is situated or conducts its affairs. A newspaper with a state wide circulation is advised, if the association conducts its affairs in numerous areas or state wide.

The application to incorporate must be lodged not less than one (1) month after the advertisement appears, and not more than three (3) months after the advertisement appears.

The advertisement must be published in a prescribed format and include specific information. Associations can complete a *Form 2 – Advertisement of Intended Application for Incorporation* (access at <http://www.commerce.wa.gov.au/ConsumerProtection/PDF/Associations/AssociationsForm2.pdf>) and send this directly to the newspaper to be published.

Before submitting Form 2, associations should complete the advertising section of the *Attachment to Application for Incorporation of an Association* (access at <http://www.commerce.wa.gov.au/ConsumerProtection/PDF/Associations/AssociationsForm1.pdf>) to check that the advertisement meets the requirements of the Act. (A copy of the published advertisement must accompany the application to incorporate.)

## 2. Your legal structure

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### Step 7. Complete and submit the application and fee to the state/territory department

To finalise incorporation the public officer or person nominated must lodge:

- the application with the relevant regulating authority as per Table 2 above together with
- accompanying documents (complete copy of the constitution) and statutory declaration if required
- the appropriate fee

Once your application has been approved and you have received your certificate of incorporation:

- Your new name (including the word “incorporated” or “Inc.”) must appear on all your documents and publications
- You will need a common seal, a plain rubber stamp carrying the words “Common Seal” and the name and business number of the association (available from any maker of rubber stamps)

You must have a registered address. This can be the address of the public officer.

# 3. Managing risk



## 3. Managing risk

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# Managing risk

### 3.1 Why risk management?

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Apart from protecting your own members and event participants from injury or death, there are several reasons why networks should all look at developing a risk management process.

#### Five reasons why risk management is important

##### 1. To protect your network from legal liability

In today's litigious society, even not-for-profit organisations can sometimes run the risk of being sued for an extensive list of alleged wrongdoings.

##### 2. Lower insurance premiums

If your network can provide evidence that a risk management plan is effectively producing safe practices and is dealing with major risks, insurers may be more likely to provide cover, and at a more reasonable cost.

##### 3. Improved perception of your organisation by members, community and funders

Implementing risk management principles enhances your organisation's capacity to present as a professionally managed organisation, with strong ethical norms and high standards of conduct. This is reassuring for the people your network serves and potential funders.

##### 4. Better information for decision making

The process of developing a risk management plan will bring to attention matters that your organisation should prioritise. By continually reviewing these matters over time you will enhance the capacity for your network's management committee to make informed decisions.

##### 5. Better management of property and assets

A risk management register will list all the physical assets owned by your network. It also encourages volunteers to report any problem when it first poses a danger. Having equipment regularly maintained is a better strategy than an ad hoc response when things are breaking down and is much more likely to prevent potential injury.

### 3.2 Australian standards

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The approach adopted in this section is based on the Australian Standard on Risk Management AS/NZS ISO 31000:2009.<sup>4</sup>

Standards Australia has defined what type of risk management program would be required to receive their accreditation, and while this section draws on their many insights, it is considered that most Wesley LifeForce networks are not yet at the stage of organisational development where a fully Standards Australia accredited risk management program would be feasible in terms of resources available.

What is included therefore is a very simplified form of risk management geared up for Wesley LifeForce networks who are not resource rich and/or who do not employ staff in large numbers (if at all).

### 3.3 What is a risk?

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We deal with risks every day. For example, walking across the road or catching a bus has risks. Risks are an unavoidable part of life, and the same is true of any network's activity.

A technical definition of risk is “the effect of uncertainty of an object”<sup>5</sup>.

We can think of this in basic cause and effect terms. An event happens (the cause) and the risk is the effect (a deviation from the expected—positive or negative) and how likely it will happen. A risk can be internal (within your control) or external (outside your control).<sup>6</sup>

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<sup>4</sup> Standards Australia AS/NZ ISO 31000:2009 *Risk Management Principles and Guidelines*

<sup>5</sup> Reference: AS/NZS/ISO 31000 Risk Management-2009

<sup>6</sup> *ibid*

### 3. Managing risk

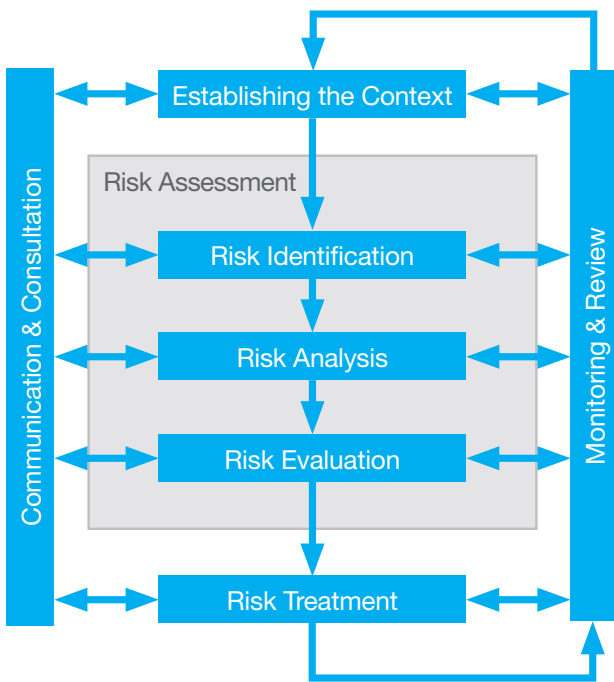
#### 3.4 What is risk management?

**Risk management therefore, is managing the possibility that something will happen.**

Using Standards Australia's schema it involves:

- establishing a context for risk management in your network
- communicating risk management to your network
- identifying risks in your network
- analysing risks in your network
- evaluating risks in your network
- treating risks in your network
- monitoring and review

Standards Australia show the following graphic to illustrate the risk management process<sup>7</sup>



While this listing of issues may appear somewhat daunting for the smaller network, a common sense risk management plan can be relatively easy to initiate and progressively developed by your management committee.

The following steps set out in very simplified form show how a risk management plan can be developed for your Wesley LifeForce network. It's simply a matter of your management committee asking (and answering) seven sets of questions, documenting the answers decided on and collating them into a risk management policy.

#### 3.4.1 The seven questions that are the basis for risk management

Developing a simple risk management plan for your network

Answer these questions	For these outcomes
What is our vision, mission and goals?	Document 1. - Brainstorm Notes - Stakeholder Map
What can go wrong in what our network wants to do and become? How, when and why?	Document 2. Risk Identification List
How likely is the risk to occur?	Document 3. Likelihood Assessment
What do we know about the severity of these risks and their impact on us?	Document 4. Risk Rating Table
Which risks need treating and their priority? How should we best deal with these risks?	Document 5. - Risk Rating Table - Risk Register
How will we know that our process of risk management is working? Have the risks and controls changed?	Document 6. Risk Management Plan

<sup>7</sup> ibid



### 3. Managing risk

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#### Step 1: Establishing a context for risk management: (brainstorming and stakeholder maps)

This step involves answering certain questions which will establish the background for your risk management plan. This includes:

- clarifying the vision, mission and goals of your organisation
- identifying the wider environment within which your organisation operates
- setting the scope and objectives for the risk management process
- identifying how risks will be measured
- identifying what will be involved in the risk assessment process

Larger organisations will use a risk management committee to consider these issues. Another way of doing this is to use one or more brainstorming sessions as part of your regular meeting.

Your network committee or members need to discuss the following questions.

#### a. What are the aims and objectives of your network?

e.g. to provide information and support to raise the awareness and understanding of the issue of suicide in the local community and surrounding districts and to undertake suicide prevention activities.

#### b. What are your network's core activities?

e.g. organising community education/awareness events. Lists of activities should also include the various fundraising activities and events that your network will organise — from training to sausage sizzles and fundraisers.

#### c. Who are the stakeholders involved with your organisation - both internally and externally?

The answer to this question might be longer than you think. For your network, the main people involved are the members or office bearers. On a slightly less involved level are people who attend events and training sessions and other supporters. Also there may be businesses in the local community who sponsor your activities or service clubs or councils that provide venues.

You can graphically illustrate the answer to this question by preparing a stakeholder map. (See *Template 1: Preparing a stakeholder map*)

#### d. What facilities do you have and/or use?

This one should be a bit easier, but remember to include everything. You may have a meeting room or office or a place where your records are stored. Facilities can also include outside areas such as a car park. You should also ask if you allow anyone else to use your facilities - you could still be liable if something goes wrong.

The answers to these questions will also help determine how you tackle the process.

#### e. What is your network currently doing for risk management?

- are you insured?
- is your organisation incorporated?

#### f. The strategic context

This is the environment in which your group operates, and the answers to these questions may involve some research. Some questions you should look at are:

#### • what relationships does your organisation have and how important are these?

It is important for your organisation to recognise relationships you have established with other parties that are necessary for you to operate. For a network this could include links to Wesley LifeForce, sponsors, funders, local service clubs etc.

#### • what policies, laws, regulations, rules or standards apply to your organisation?

There are many laws - and all organisations are expected to observe all of them. As well as the usual laws against defrauding people, discriminating against them etc., there are laws that apply particularly to non-profit organisations. See the details for your state at [http://www.ourcommunity.com.au/management/view\\_help\\_sheet\\_list.do?categoryid=384](http://www.ourcommunity.com.au/management/view_help_sheet_list.do?categoryid=384)

### 3. Managing risk

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In defining your strategic context you should also consider external trends, such as:

- the known facts about the incidence of suicide and attempts in your region and the trends. Wesley LifeForce may already have this information compiled in a background report on your area
- population trends and other demographic information for your area
- expectations from the community regarding the role of the network

#### Step 2 Identify the risks

Identifying risks involves making a systematic assessment of all the hazards that could arise from your organisation's activities. Establishing the organisational context accurately in step one will help you to identify key issues. The types of risks your network could be exposed to are extensive but could include:

- **loss, theft or damage to property**  
*(Example: A volunteer steals the ticket proceeds of a fundraising event)*
- **loss of life or damage to health** Relating to members, attendees, volunteers and/or other. There could be serious consequences if a network was sued or prosecuted for failing to provide safe working conditions for its own volunteers.
- **human resources risks:** Relating to recruitment, development and retention of high quality staff and/or volunteers.  
*(Example: a planned commemoration march does not have sufficient volunteers to handle the expected numbers in attendance safely.)*
- **legal risks:** Breaches of corporate duties by the network or its officers. Your network's legal structure will affect the legal obligations it has and the extent and nature of its liabilities.  
*(Example: An extraordinary general meeting is planned without providing the due notice required by the constitution.)*
- **breaches of other laws:** In what jurisdiction does the network operate? In addition to federal law, will the laws of only one state or of several states apply?

- **confidentiality breaches:** Information disclosed confidentially is made public.

*(Example: A local case example is quoted at a training event which contains identifying information without authorisation).*

- **professional negligence:** How would a claim against your organisation, one of its employees or volunteers affect its reputation and ability to achieve its mission?

*(Example: No referrals to crisis support services are distributed at a training event).*

- **reputation risks:** Loss of your organisation's good name.

*(Example: A press release containing factually wrong information has to be corrected publicly).*

- **strategic management risks:** Relating to strategic direction, longer term planning, leadership and influencing decision making.<sup>8</sup>

*(Example: The network is unable to achieve its key objectives due to conflict on the committee)*

- **stakeholder risks:** Relating to relationships and communications with clients and stakeholders.

- **external environment risks:** Relating to factors largely beyond the sector or organisation's control.

*(Example: A natural disaster not only destroys the networks records but places undue strain on its volunteer resources involved in the post disaster suicide prevention work.*

- **financial risks:** Relating to funding levels and the integrity of the sector's and/or organisation's financial systems. How much financial risk can the organisation absorb? Are its assets sufficient to meet potential liabilities?

*(Example: the organisation does not have sufficient funds to meet current or future commitments. i.e. trading while insolvent)*

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<sup>8</sup> NDS ACT Governance Better Practice Guide: A Risk Management Strategy for the ACT Non-Government Disability Services Sector



### 3. Managing risk

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The aim is to develop a comprehensive list of the sources of risks and their consequences. There is no one right way to do this. Some strategies are:

- brainstorming at a management committee meeting
- brainstorming with stakeholders with relevant knowledge and experience
- systematic analysis, e.g., flow charting systems and processes
- development of 'what if' scenarios
- researching relevant data, such as injury rates, insurance claims, death rates, etc.

This initial listing can now form your **Risk Identification List** which will be the basis of the Risk Management Plan.

#### Step 3 Analysing risks in your network

You should now have an extensive list of possible risks facing your network. Not all of these are serious and not all of these can be, or need to be, treated. A first step is to assess the likelihood of an actual risk occurring. (i.e. estimated frequency of risks occurring).

#### Likelihood

It is relatively uncomplicated to estimate the likelihood of risks that happen routinely on a regular basis. Estimating the likelihood of risks that occur rarely, or may never have occurred, is more complicated.

For example — looking at how often accidents may have occurred at network events in the past will help your network estimate how often they will happen in the future. But considering changes to your operating environment such as a change of venue or numbers in attendance at an event may indicate that the risk has diminished or increased.

Look at situations from more than one point of view - who could be affected by your activities? Make sure you discuss, consult and check with your members throughout this process.

For less frequent risks, you may be able to draw on advice from Wesley LifeForce, other networks, federal, state or local government agencies and insurers. Your local occupational health and safety authority may also be able to advise.

The aim of this step is to assess the likelihood of a particular risk being realised and to document in a simple listing the likelihood of risks using the following criteria:

**A - Frequent** - likely to occur frequently

**B - Probable** - would occur but not frequently

**C - Occasional** - could happen occasionally

**D - Remote** - rare; not likely, but possible

**E - Improbable** - highly unlikely but still possible<sup>9</sup>

Here are some questions which could be asked to assist in this process:

- How often do people encounter this risk? (frequent, probable, occasional, remote, improbable)
- Have we experienced this risk in the past, in your network or another one? How often?
- Have circumstances changed which would reduce or increase the likelihood of this risk occurring?
- Has this risk caused any near misses?
- Is there any level of training required to perform the activity risk free? If so, have people undertaken it? How complex is the training?

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<sup>9</sup> [http://www.ourcommunity.com.au/insurance/view\\_help\\_sheet.do?articleid=337](http://www.ourcommunity.com.au/insurance/view_help_sheet.do?articleid=337)

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#### Step 4 Evaluating risks in your network

##### Severity or consequences

The seriousness of the particular risk now needs to be taken into account. Some will be specific to your network by virtue of the work you do. For example, fire damage to a hall you use regularly would be a bad thing for any group, but how bad it is will depend on whether you have continuing financial obligations for the hall (mortgage, rent), how often you used that particular hall, whether other facilities are available to continue your activities and if you have the money (or insurance) to fix the premises.

You could also look at the number of people likely to be affected by a risk - a large number of people getting cuts and bruises through tripping over an obstruction may be worse than one person breaking their arm at an event.

The worst risks are of course those that result in death or severe harm to individuals or derail your network's ability to accomplish its objectives or in the worst case scenario, even cause it to close down altogether.

According to ourcommunity.com.au there are two main methods for working out the severity and likelihood of risks<sup>10</sup>:

1. **Quantitative** analysis applies a numerical value to the level of risk. This method usually depends on reliable data and is best used when specific figures are available, such as accident or injury statistics. This method can be extremely accurate but is best suited to large organisations where there is enough evidence to provide useful analysis.

2. **Qualitative** analysis is the easiest, and most commonly used, method of analysing risks, especially for smaller organisations. It applies a descriptive word to the level of risk and is based on knowledge, experience and anecdotal evidence. This method does have limitations, including a risk of subjectivity, but is useful in indicating which risks may be disregarded, those that require further attention and management priorities.

Many risks will be difficult to quantify and thus involve estimation, however your network should still attempt an estimate. It's better than waiting until you know for sure because then it could be too late.<sup>11</sup>

One approach which can be used is a severity rating system, as per the example used below:

##### Severity/Consequence rating

**A - Catastrophic** - May result in death or loss of bodily functions

**B - Major** - May cause severe injury, illness

**C - Moderate** - May cause injury or illness resulting in, for example, missing work

**D - Minor** - May cause minor injury or illness

**E - Insignificant** - inconsequential effect only

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<sup>10</sup> [http://www.ourcommunity.com.au/insurance/view\\_help\\_sheet.do?articleid=337](http://www.ourcommunity.com.au/insurance/view_help_sheet.do?articleid=337)

<sup>11</sup> *ibid*

### 3. Managing risk

Using both likelihood and severity classifications, a rating table can then be developed that will assist in evaluating your risks. The table could look something like this:

Risk Rating Table

		Severity				
		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood	Frequent	Medium 19	High 12	High 6	Extreme 2	Extreme 1
	Probable	Medium 20	Medium 17	High 7	High 4	Extreme 3
	Occasional	Low 22	Medium 18	High 11	High 8	High 5
	Remote	Low 23	Low 21	Medium 14	Medium 13	High 9
	Improbable	Low 25	Low 24	Medium 16	Medium 15	High 10

Using this table to assess the need for corrective action can result in general principles for corrective action as follows:

Risk level	Action principles (examples only)
<b>Extreme Risk 1-3</b>	<p>This rating level is not acceptable</p> <ul style="list-style-type: none"> <li>• report to management committee</li> <li>• consider alternate activity unless appropriate controls are implemented</li> <li>• develop specific treatment/action plan for immediate implementation to address extreme risks</li> <li>• allocate actions and budget for implementation within one month</li> <li>• report to management committee on effectiveness of control</li> </ul>
<b>High Risk 4-12</b>	<ul style="list-style-type: none"> <li>• develop and implement a specific treatment/action plan for high risks</li> <li>• consider alternate activity unless appropriate controls are implemented</li> <li>• allocate actions and budget to minimise risk; monitor implementation</li> <li>• report to management committee on effectiveness of control</li> </ul>
<b>Medium Risk 13-20</b>	<ul style="list-style-type: none"> <li>• develop and implement a specific treatment/action plan for medium risks</li> <li>• allocate actions and budget to minimise risk where existing controls deemed inadequate</li> <li>• monitor implementation</li> <li>• management to consider additional controls</li> </ul>
<b>Low Risk 21-25</b>	<ul style="list-style-type: none"> <li>• accept and monitor low-priority risks</li> <li>• manage via routine procedures where possible; monitor via normal internal reporting mechanisms</li> </ul>

### 3. Managing risk

A risk register can now be compiled using your risk identification list and the rating scale above, as follows:

#### Risk Register

Risks (from Risk Identification List)	Likelihood	Severity	Risk Level
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			

At the end of this process your network should know the risks that require treatment (further action) and their priority for attention.

#### Step 5 Treating risks in your network

Once you have completed steps 1-6 above and systematically identified and prioritised the risks facing your network a risk management program can be committed to writing, approved, and adopted.

In essence there are four ways of treating risks;

1. risk avoidance and/or
2. risk control and/or
3. risk financing and/or
4. risk transfer<sup>12,13</sup>

In treating risks there will be tradeoffs between costs and benefits. You will have to make a judgment that the cost of reducing the risk is worth the benefit of the reduced risk.

Risk treatment, which is the process to modify risk, involves the organisation selecting one or more options for further enhancing or reducing its level of risk and implementing those options.

The options are elaborated further below:

#### 1. Risk avoidance

The network may decide to avoid the risk altogether by deciding not to engage in the activity at all. An example might be that a network believes that there are grave risks for its reputation if, it conducts a scheduled suicide prevention training event while the community is still recovering from several well publicised suicides.

12 Volunteering Australia *Running the Risk: Risk management tool for volunteer Involving organisations* 2003 p13

13 Professor Myles Mcgregor Lowndes *Facing Up To The Liabilities Of Nonprofit Enterprise: A Strategy to Minimise and Finance Liabilities* Working Paper No. 11 Queensland University of Technology, 3 November 1992 pp9-10

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#### 2. Risk control

If risks cannot be avoided, the next strategy is to decide on what can be done at an economic cost to reduce the risk by:

- reducing the probability that a certain risk will occur and/or
- if it does occur, limiting its severity and/or
- contingency planning (i.e. plan in advance for an event that may happen so as to minimise any negative effects should it happen). Examples are the training that the association may provide to its staff/volunteers and management committee and establishing policy to minimise liabilities arising from the activities of the network. It may include use of security services and the availability of professional clinical help at particular events.

An area not to be overlooked is the quality of the board. A committee of committed, capable and qualified persons who provide complementary skills such as accounting, law, management, and professional expertise appropriate to the association's activities is a good risk control measure.<sup>14</sup>

#### 3. Risk financing

This entails estimating the cost of a risk over a period of time and building financial reserves or other assets to cover the cost of an eventual liability. It is like a self-insurance scheme. It is usually not appropriate to a small non-profit association however.

#### 4. Risk transfer ... or sharing

This usually involves the transfer of the risk to an insurer. Another possibility of transferring risk to others is by means of exemption of liability clauses which could discourage small claims. Risk may be transferred also by outsourcing, via contracting out, the conduct of a particular activity to an external contractor.

For example you may contract to have lunches provided by an outside organization rather than cook lunches on site. The risk from spoiled food is transferred to the lunch provider. Risk can be shared through effective partnerships with other organisations also.

Using the risk register, a risk management table can now be developed which documents risks, their likelihood, severity and level of risk. This is a tool your management committee can use to identify and monitor risks.

Risk Management Table

Risks	Likelihood	Severity	Risk Level	Action Required	Monitoring notes	Date	By Whom

<sup>14</sup> ibid

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A spreadsheet template developed by the Insurance Commission of WA is available at [http://www.icwa.wa.gov.au/cif/cif\\_riskbase.shtml](http://www.icwa.wa.gov.au/cif/cif_riskbase.shtml) for those networks who would prefer a more technical approach to developing a risk management system

#### Risk management checklists:

You may find help in this process by referring to checklists such as *Fact Sheet 3: Risk management checklists*.

#### Step 6 Monitoring and review

Having completed a full risk management register/plan your organisation now needs to monitor what has been implemented, review its effectiveness and identify possible new risks.

The risk picture is ever changing. New risks appear and current risks disappear. Risks that you have listed may become less likely to occur or less severe in their consequences.

Ways to ensure effective monitoring and reviewing of your risk management strategy include:

- i. Timetable regular reviews of your network's activities from a risk management perspective.
- ii. Document when things need to be checked and tick them off when they are. This can be done on your risk register. You may also want to make a note of when that area should be reviewed again.
- iii. Keep records of all investigations and occurrences of any accidents or near misses to prevent similar incidents recurring. Investigate the incident by asking:
  - what went wrong?
  - why?
  - what could have prevented it?

These records can take the form of:

- minutes of meetings - noting important decisions and the reasons for them
- file notes - a record of important conversations in person or on the phone
- training records - documenting any training undertaken by staff or volunteers
- incident records - notes taken or forms completed in the event of any injury or incident.

Your records should also include regular reviews of the effectiveness of the risk management strategy itself. Ask questions such as:

- how effective is your risk management strategy?
- are measures working the way they are supposed to?
- how accurate is the risk assessment process?  
Are all risks being identified?
- have risk treatment methods made your organisation safer?
- are safety procedures being followed?
- are safety records accurate and up-to-date?<sup>15</sup>

Monitoring and reviewing your risk management strategy should eventually lead to documented administrative procedures in the form of policies, guidelines, codes of practice rules, a resource/guide for staff/members/volunteers etc.

Be aware that documentation of safe practices and regular maintenance inspections could be used in court proceedings as evidence that reasonable care was being taken.

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<sup>15</sup> [http://www.ourcommunity.com.au/insurance/view\\_help\\_sheet.do?articleid=342](http://www.ourcommunity.com.au/insurance/view_help_sheet.do?articleid=342)

### 3. Managing risk

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#### What happens if despite all our precautions, we have an incident that could lead to a claim?

1. Ensure that you provide assistance and/or medical advice and treatment if required to the person(s) who has been injured or distressed. (where there is any doubt, seek medical opinion).
2. Contact a parent or carer if required as soon as possible and do so in a caring manner. “Stick to the facts in any conversation and avoid discussion on possible liability or blame.”<sup>16</sup>
3. Record the incident: just facts, no opinion or blame.
4. Notify your insurer of all potential, and actual claims as soon as possible.

On this last point, it is advisable to notify your insurer of any activities that you wish to undertake outside of your normal operations as it may not be covered or may require an additional premium.

Although this is the sixth stage in your risk management process, your risk management strategy should continually evolve. “You will revisit all of the six steps to some degree, at some stage - some more regularly than others. For example, communicating risk management to your organisation is a continual process while you have probably done the bulk of the work in identifying risks in your organisation and just need to ensure your list of risks is accurate and up-to-date. This, of course, can be achieved through a successful process of monitoring and reviewing your risk management strategy.”<sup>17</sup>

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<sup>16</sup> ibid

<sup>17</sup> ibid



# 4. Insuring your network



## 4. Insuring your network

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### Insuring your network

A prime consideration for any association after it has incorporated is to consider what insurance it may need and how to acquire this cover.

#### Is insurance compulsory?

The short answer to this is “No”. The exception is if your incorporated association owns or leases land, or holds land in trust, (specifically cited as compulsory by the Queensland Office of Fair Trading).<sup>18</sup>

However all state and territory jurisdictions recommend strongly that insurance cover (public liability at least) be obtained.

Additionally local governments manage and regulate the use of public places. Accordingly, fundraising activities undertaken in public places may be subject to local government regulation. This regulation can include providing evidence of public liability insurance cover for the event.

#### What type of insurance cover is possible?

Our Community at [http://www.ourcommunity.com.au/insurance/view\\_help\\_sheet.do?articleid=263f](http://www.ourcommunity.com.au/insurance/view_help_sheet.do?articleid=263f) lists the following:

- **public liability**

This covers your organisation for legal liability in regards to claims concerning compensation for property damage, personal injury or advertising injury. This can be extended to cover functions, festivals and fundraising events organised by your organisation.

- **liability of officials (directors and officers liability)**

Covers individual directors and officers in the event they are sued for negligence.

- **personal accident (volunteers)**

Covers your members, volunteers, or officials for any out of pocket expenses following accidental injury, disability or death while carrying out their work on behalf of the organisation.

- **property**

Covers you for loss or damage to your organisation’s building and contents. This may include loss or damage caused by events such as fire, flood, storms, burglary and earthquake. (This insurance is generally not required if you do not own the facility).

- **fidelity (fraud) insurance**

Fidelity Insurance provides cover for your organisation against misappropriation of funds by employees or committee members. It is worthwhile evaluating this insurance against the level of your budget and the level of potential misappropriation. You can then weigh this up against the cost of the insurance.

- **product liability insurance**

Covers damages and legal costs that are incurred where you make or sell something that injures someone or causes damages to someone else’s property. While this is may be covered under public liability insurance it is worth checking to make sure that you do have cover if you make or sell a product.

- **professional indemnity**

Covers individuals against claims for breach of “Professional Duty” arising out of any negligent act, error or omission committed or alleged to have been committed by the Insured in the conduct of the Insured’s professional activities (their profession or “business”). This insurance is particularly relevant in the cases of service delivery such as health and care services but is equally relevant in terms of advisory services.

- **worker’s compensation**

This is compulsory where you have paid employees and covers expenses such as wages and medical bills if a person is injured at work. You must meet your obligations under occupational health and safety legislation.<sup>19</sup>

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<sup>18</sup> <http://www.fairtrading.qld.gov.au/public-liability-insurance.htm>

<sup>19</sup> <http://www.ourcommunity.com.au/insurance/>

## 4. Insuring your network

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### Public liability insurance

Most networks staging public events are advised to seek this cover.

This insurance provides cover where a third party i.e. a member of the public or service user (but not an employee or volunteer), is killed or physically injured or their property is damaged due to the negligence of the insured.<sup>20</sup>

*Example: A public liability policy is likely to cover the case of a person who trips over an electric extension cord at a function refreshment tent and breaks a limb. The policy may be used to pay out the claim or to provide legal costs and expenses to defend the claim.*

Even if you believe your risk management policy has eliminated all the risks, and you've had long and careful planning for an event, you can still carry a high level of risk. Unfortunately, in the best planned events, accidents can still happen, which makes public liability insurance absolutely essential to protect the organisation's assets.

You may already have insurance, but activities that are outside day to day operations may not be covered by your existing insurance. It is therefore necessary to check with the insurer well before the event goes ahead, to allow time for arranging additional/different cover if necessary. Otherwise a claim may be rejected because that activity was excluded.

In many cases taking out public liability insurance is often a condition for hiring the venue (particularly local government authorities).

### How can we obtain and afford public liability insurance?

- Wesley LifeForce has negotiated reduced insurance premiums for public liability cover and professional indemnity cover for affiliated networks. Please contact the Networks Manager on 1800 100 024 for more information.
- check your current insurance policy (if you have one) and assess whether or not the policy is actually what you need. (In some states incorporated associations are required to hold a public liability policy with \$10 million cover. If you

have a policy of \$30 million – do you need it? Seek guidance from a professional insurer or lawyer.

- choose an insurer with experience of the NGO sector or specifically other Wesley LifeForce networks. Ask around.  
Wesley LifeForce networks have reported a wide variation in the price of this insurance, so a ring-around to other networks might prove beneficial. There are several insurance providers that cater specifically for the sector. The Council of Social Service of New South Wales (NCOSS) lists some of these on the website at [www.ncoss.org.au/insurance](http://www.ncoss.org.au/insurance) (see Insurance Resources).
- get advice before you buy  
Peak bodies of not-for-profits such as councils of social services and industry associations are often good sources. You may also wish to ask other networks or community organisations which operate in the same field as yours or equivalent organisations in other states about their insurance plan. In other words, ring around.
- check whether a 'group' or 'blanket' scheme is available. Check to see if you are covered for public liability by a blanket government or funding body scheme. In some states, some government departments will cover groups who receive funding from them. If you are included in a blanket coverage scheme, check your own insurance cover and see if you are now over insured. There may be some components of your individual policy that you can scale back. Again, seek advice. By consulting with any peak bodies, funding bodies, umbrella bodies, parent or related organisations about insurance coverage, you may find that they have existing 'group' insurance arrangements that you can join. (These are often cheaper than taking out independent insurance).  
Many councils of social service contain advice on the availability of this facility, and a full list for every state /territory is contained in the reference section of the appendices at Insurance.

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<sup>20</sup> NCOSS Insurance Information Sheet:Public Liability Insurance for Events 2010 p.1

## 4. Insuring your network

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For further details please see <http://www.pilch.org.au/insurance/> Guide: Insurance and risk management for Victorian community organisations<sup>21</sup>

- shop around

If there is no group or blanket insurance policy available for your organisation, it's a good idea to shop around for quotes to compare the different insurances available.

If you already have a quote or an existing policy, advise the other insurer. They then know that someone considers you are worth insuring, and provides an opportunity for a competitive quotation. Make sure you emphasise the fact that you have established a working risk management plan.

- try to bundle

If your network is seeking a few different types of insurance, a better price may be possible by buying an insurance package. Some insurance agents and brokers have 'packages' that they have put together to suit community organisations. Ask your agent or broker whether they offer any insurance packages tailored for not-for-profits.

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<sup>21</sup> PILCHCONNECT | © 2011 Public Interest Law Clearing House (Vic) Inc. Guide: Insurance and risk management for Victorian community organisations



# Appendices



# Appendices

## References and Resources

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### On Governance

Bradfield Nyland Group and Spall Watters Group: *The Governance Development Resource Pack*, available on Queensland's Community Door website: [www.communitydoor.qld.gov.au](http://www.communitydoor.qld.gov.au)

David Fishel, *The Book of The Board*, The Federation Press, 2003

Web based materials at [www.ourcommunity.com.au](http://www.ourcommunity.com.au)

For more information about incorporating an association and post-incorporation obligations, visit the website of the relevant state or territory authority.

State/territory	Authority	Web address
Australian Capital Territory	Office of Regulatory Services	<a href="http://www.ors.act.gov.au">www.ors.act.gov.au</a>
New South Wales	Office of Fair Trading	<a href="http://www.fairtrading.nsw.gov.au/Cooperatives_and_associations.html">http://www.fairtrading.nsw.gov.au/Cooperatives_and_associations.html</a>
Northern Territory	Department of Business	<a href="http://www.dob.nt.gov.au">http://www.dob.nt.gov.au</a>
Queensland	Office of Fair Trading	<a href="http://www.fairtrading.qld.gov.au/incorporating-an-association.htm">http://www.fairtrading.qld.gov.au/incorporating-an-association.htm</a>
South Australia	Consumer and Business Services	<a href="http://www.cbs.sa.gov.au">http://www.cbs.sa.gov.au</a>
Tasmania	Office of Consumer Affairs & Fair Trading	<a href="http://www.consumer.tas.gov.au">www.consumer.tas.gov.au</a>
Victoria	Consumer Affairs	<a href="http://www.consumer.vic.gov.au">www.consumer.vic.gov.au</a>
Western Australia	Department of Commerce	<a href="http://www.commerce.wa.gov.au">http://www.commerce.wa.gov.au</a>

## Appendices

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### On Incorporation

Procedures for incorporation in each state are set out in *Our Community's* website as follows:

- legal structures
- unincorporated associations
- co-operatives
- incorporated associations
- not-for-profit companies
- trusts
- Aboriginal associations

### On Insurance

- Wesley LifeForce has negotiated reduced insurance premiums for Public Liability cover and Professional Indemnity cover for affiliated networks. Please contact the Networks Manager on 1800 100 024 for more information.
- **NSW:** *NCOSS Community Cover*, is an insurance scheme developed specifically for the NGO sector, and also provides a package of insurances customised to the needs of NGOs.

See <http://www.ncoss.org.au/content/category/9/156/172/>

- **Victoria:** Organisations that are funded by the Department of Human Services (DHS) under service agreements may be eligible for insurance arranged by DHS. The Victorian Managed Insurance Authority (<http://www.vmia.vic.gov.au/>) advises that a significant majority of organisations that enter into a Victorian Government departmental service agreement are covered under either of two insurance programs arranged and funded by the department:
- Public Healthcare Insurance Program

- Community Service Organisations Insurance Program.

The insurer for both of the programs is the Victorian Managed Insurance Authority (VMIA) and details of the insurance cover provided can be viewed on the VMIA website.

- **QLD & NT:** AON have been engaged by the Queensland Government to provide advice to the community sector on insurance related issues and to assist organisations access competitive and appropriate insurance products. The Queensland Government itself has also passed legislation to help address the affordability and availability of insurance, principally the Civil Liability Act 2003 (Qld). Of particular interest to not-for-profit organisations will be the provisions relating to protection afforded to volunteers under this Civil Liability Act 2003 (Qld).
- **SA:** This Office of Volunteers fact sheet available at [http://www.ofv.sa.gov.au/pdfs/Fact\\_GroupInsurance\\_FactSheet%20\(2\).pdf](http://www.ofv.sa.gov.au/pdfs/Fact_GroupInsurance_FactSheet%20(2).pdf) lists the following:
  - Local Government Risk Services (Jardine Lloyd Thompson) Clubs and Community Groups Insurance Scheme
  - NCOSS Community Cover
  - AON and Volunteering Australia – “Volunteer Vital Pack”
- **WA:** Community Sector Services (CSS) advises that ACI Broking (WA) Pty Ltd (*formerly Hammond Insurance Brokers*) is the preferred provider of not-for-profit insurance services, and that it has an agreement with ACI Broking which is regularly reviewed.

Community Sector Services has worked with ACI Broking (WA) Pty Ltd to develop tailored insurance packages that meet the particular needs of the Western Australian not-for-profit sector<sup>22</sup>
- **Tasmania:** Not available at time of writing
- **ACT:** (see NSW above)

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22 <http://www.communitysectorservices.org.au/279/insurance-services>



## Notes

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## Wesley Mission services

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For over 200 years our commitment to our Christian faith has driven us to create long-term holistic solutions that address the needs of the whole person, not just their current challenges.



Wesley Child & Family



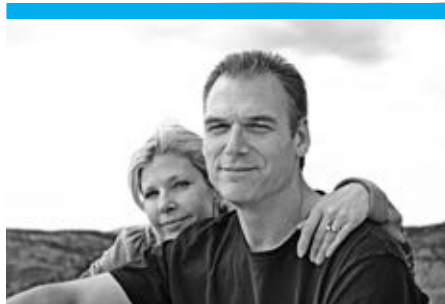
Wesley Youth



Wesley Seniors



Wesley Congregational Life



Wesley Mental Health Services



Wesley Alcohol, Drug & Gambling Services



Wesley Counselling Services



Wesley Homeless Services



Wesley Employment, Training & Conferences



Wesley Disability Services



Wesley Carer Services



Wesley Help at Home Services



## Contact us

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wesleylifeforce.org

## Get involved

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To volunteer, donate or leave a bequest visit [wesleymission.org.au/getinvolved](http://wesleymission.org.au/getinvolved)

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Superintendent/CEO: Rev Dr Keith V Garner

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**Do all the good you can** because every life matters