







Acknowledgement

“We acknowledge the Traditional Owners and custodians of the lands and waters where we meet, pay respect to their Elders – past, present and emerging – and we acknowledge the important and practical role Aboriginal and Torres Strait Islander people continue to play within communities both in Queensland and across the nation.”





WEBINAR

Your Insurance at Work

QWaLC Chair, Mary-Lou Gittins OAM
and CEO, Darryl Ebenezer

will be ready to answer your questions
on minimising risks
and how the
QWaLC insurance cover
works for your group.

**Monday 28 April,
12.30pm**

#Insurance
#qwalcmember
#landcare

qwalc.org.au/naturally-together-2/



General Advice Warning

- The information provided to you today is general advice.
- We are not lawyers so we encourage you to seek further advice



Feel free to place questions in the chat

Suggestions for specific resources or information are welcome

Should we have these opportunities more frequently?

Why Volunteer Safety Matters



Duty of care obligations



Protecting people =
protecting your group



Building community trust
and credibility



Legal and reputational
risks of poor safety
practices

Insurance

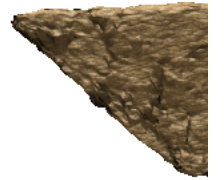
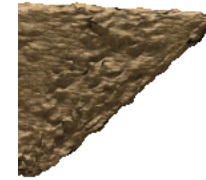
Insurance enables an organisation to transfer specific risks to an insurer. Adequate and appropriate insurance for volunteers is essential for all community-based organisations and makes up one part of the organisation's risk management strategy.

Insurance should provide adequate coverage so volunteers are not at personal financial risk should some accident or other incident arise resulting in a damages claim.

Similarly appropriate insurance would provide coverage for the entire volunteer workforce your organisation engages and for all the roles they are involved in.



Insurance is about the Transfer of Risk



- Each organisation needs to consider its own insurance needs
- What is the organisation's exposure?
- What can your organisation afford to self-insure?
- Different policies will cover the transfer of risk
- Once you have determined that you are transferring your risk to an insurance Policy, you need to consider the different areas for each class of insurance
- What contractual limits are required

In Queensland, incorporated not-for-profit associations have specific obligations regarding public liability insurance and informing members about it.

1. Annual Assessment

1. The management committee must conduct an annual assessment of the need for public liability insurance, considering the association's activities and potential risks.

2. Mandatory Insurance

1. Associations that own, lease, or hold land in trust are legally required to have public liability insurance.

3. Disclosure to Members

- 1. New Members:** All new members must be informed about the association's decision regarding public liability insurance.
- 2. Annual General Meeting (AGM):** The results of the annual insurance assessment and insurance decisions must be reported to members at the AGM.
- 3. Potential Members and Stakeholders:** The level of insurance coverage must be disclosed to potential members before they join and to any person or entity with whom the association engages, especially if the association is uninsured.

Risks of Inadequate Insurance

Failing to obtain adequate public liability insurance may expose the association to significant risks, including

- Legal Liability:** The association could be held liable for injuries or property damage occurring due to its activities or on its premises.
- Financial Risk:** Without insurance, the association's assets and potentially the assets of its members could be at risk.
- Operational/Reputational Challenges:** Other businesses and entities may refuse to engage with an uninsured association.

Best Practices

- Regular Reviews:** Conduct comprehensive risk assessments annually to ensure adequate insurance coverage.
- Transparent Communication:** Maintain open and clear communication with all members regarding insurance decisions and associated risks.
- Documentation:** Keep detailed records of insurance assessments, decisions, and communications made to members. (7 years)

For more detailed guidance, refer to the Queensland Government's resources on running an incorporated association: [Running an Incorporated Association in Queensland](#)

Simple actions to include in your **Annual General Meeting**

- The results of your annual insurance assessment and insurance decisions
- The level of insurance coverage
- Thanks to Queensland Water and Land Carers and the Queensland Government for providing resources for insurance coverage





*"It's the
simple way
to solve and
apply for your
insurance"*

Sam Small

CURRENT QWaLC INSURANCE POLICIES

- Public and Products Liability (GPL)
- Voluntary Workers/Personal Accident
- Protector Liability (Directors and Officers)
- (Cyber Liability) QWaLC only





Excess or deductible for each claim range from \$25.00 to \$50,000.00



UAV or Drone claim excess is \$5,000.00



Excluded Activities

Scuba Diving and Snorkeling



Bike riding including ebikes/scooters





If your group engages in or intends to engage in activities involving

- **Drones/UAV**
- **Bike riding**
- **Snorkeling, reef diving**
- **Wildlife rescue above ground**
- **Cool burning**

you must contact Darryl



Public and Products Liability

- Covers legal liability to pay compensation to third parties for injury and/or damage to property arising out of the business activities or products.
- specifically relates to:
 - Injury to any person
 - Property Damage
 - Advertising Injury
- ***Injury*** includes bodily, death, illness, disease, false or wrongful arrest, libel, slander or defamation, discrimination, assault and battery.
- ***Property damages*** means physical damage/ destruction of property including loss of use at any time resulting there from – and loss of use of tangible property.
- ***Advertising*** injury includes libel, slander or defamation infringement of copyright, invasion of privacy and unfair completion – committed in any advertisement, publicity article or telecast



Volunteer / Personal Accident

- Applies where a volunteer is injured or dies as a result of an accident while they are volunteering or while travelling to or from their voluntary work.
- Volunteers are not generally covered by workers' compensation schemes that are compulsory for paid workers in each state. Therefore personal accident insurance is necessary to cover volunteers for costs resulting from such accidents.
- Coverage may include - death, disability both permanent and temporary, loss of income, home assistance,
- assistance with tutoring, carer support and non-medical
- expenses.
- Coverage varies from policy to policy

Association Liability / Protector

- This policy covers some Professional Indemnity which covers Legal Liability to compensate Third Parties who have sustained financial loss due to breach or alleged breach of professional indemnity on part of their insured or their employees
- Covers Directors /Officers Liability - Incurred due to a Breach or alleged breach of duty, misleading statement or wrongful act (as defined by the policy) by a director or officer acting in that capacity. This policy does not cover fines or penalties.

Information required by your group and for QWaLC

- Full, precise and up to date details of the activities your volunteers undertake.
- Details of any new activities started since the policy was put in place.
- Information on actual or potential claims on the policy



Complete the Membership and Insurance Renewal each year

To be covered an activity must

- be approved and documented by the management committee
- have a risk assessment completed
- have a register or record of participants
- have contacted QWaLC for guidance on Insurance coverage if in any doubt
- have all approvals required
- If working with children
- not be criminal

The purpose of the Membership and Insurance Renewal is to:

- ✓ **Enable QWaLC to provide insurance coverage for member groups, Capture issues that members consider important,**
- ✓ **Better understand the needs of groups and our sector and,**
- ✓ **Provide information that indicates the health of Land & Water Carers across QLD**

The provided information assists QWaLC to continue to act as a voice for our member groups at State and National levels of government

Commenting on policies and programs as well as representing member's interests to decision makers

Our role is to actively support the continued survival and growth of our member and consequently improve our natural environment for the benefit of all

Tools for Managing Risk

Risk assessment templates

Safe Work Method Statements
(SWMS)

Incident report forms

Volunteer sign-in sheets and
inductions

Questions to Ask

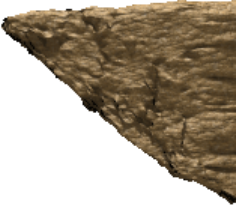
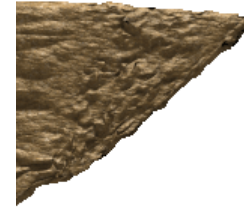
- The scope of coverage.
- Any exclusions or exemptions in the policy.
- The terms and conditions of the policy.
- Policyholder duties.
- The claims process.
- The terms and conditions for settling claims.
- Insurance effective date.
- Insurance policy expiry date.



Risk Management

Why Risk Management?

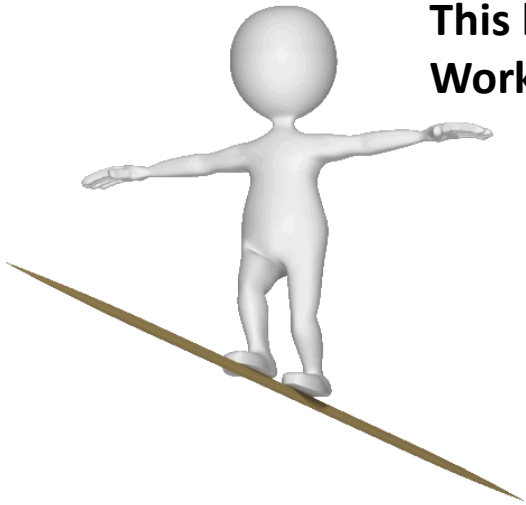
Your Community Organisation wants to keep vital assets, especially people safe



Risk management is the process of systematically identifying and eliminating or reducing risks faced by voluntary organisations so as to protect the interests of the organisation and to protect those who may suffer injury, damage or loss.



This links to National Standards for Involving Volunteers - No. 4 Work and the Workplace]




- ◆ Compliance risks (e.g. failure to lodge statutory information in allowed time)
- ◆ Financial risks (e.g. loss of funding, insolvency, expense blow-out)
- ◆ Governance risks (e.g. ineffective oversight)
- ◆ Operational or program risks (e.g. poor service delivery)
- ◆ Environmental, including event risks (e.g. natural disasters and states of emergencies)
- ◆ Brand and reputational risks (e.g. due to worsened stakeholder or community perceptions, from major event failure or adverse commentary on performance via traditional and/or digital and social media channels)
- ◆ Strategic risks (e.g. stakeholder behaviour change, increased competition for funding)

What Do We Know About Risk

- Risk includes both threats & opportunities to a community organisations mission & goals
- Risk is everywhere
- Risk can be shaped and transformed but not totally eliminated

What Risks could your Organisation Face?

- Staff injury
 - Volunteer injury
 - Client injury
 - Physical property
 - Office equipment
 - Mobile property
 - Motor Vehicles
 - Board/Management (Volunteer & Paid)
 - Allegations of wrong doing
 - Loss of funding
- 
- Destruction of Assets

- Breach of privacy
 - Negative publicity
 - Staff & Volunteers
 - Trouble attracting Board Members
- Third Party Property & Personal Injury
 - Events / Fairs / Festival / Dinners / Stalls
- Not meeting regulatory requirements
- Cyber Attacks

Risk management frameworks will look different in different member groups.

Will depend on:

- Size of organisation
- Activities
- Incorporated or not (legal structure)
- Governance arrangements (eg. Finance & Risk Sub-Committee)
- Needs of the community / environment

Regardless of size or circumstances, **all member groups should have processes in place for thinking about risks** in its operations/activities and how to manage risks appropriately.



Identify RiskTreatment

- Avoid the risk
- Control the risk
- Finance the risk
- Transfer the risk
 - Third party performs the activity
 - Another organisation assumes the risk
 - Insurance

What to do if something goes wrong

- Provide **notice** to QWaLC **as soon as reasonably practicable** of any occurrence that may give rise to a claim via phone or email
 - *Note: this includes events that may eventuate in claim sometime in the future*
- **Do not admit liability** or make any offer, promise or payment in respect of any occurrence that may give rise to a claim
- **Keep records** of all claim-related matters (including of events that might lead to a claim in future) for 7 years



An indicative Policy / Procedure list for community groups

All community groups need policies and procedures to guide the activities of the group, conform to Government rules and keep people safe.

All guidance should be relevant and appropriate to the group. No point in imposing policies and procedures that are not needed, to complicated and won't be used or followed.

Here is an online resource for new or returning committee members.

<https://volunteeringqld.org.au/about-my-governance-journey/>

Some policy procedure templates are available from QWaLC here <https://qwalc.org.au/landcare-in-a-box/>

An interesting tool to help the group build awareness is the small group governance health check.

Always useful to have a few items clearly articulated.

- Group/organisational Values
- Group/organisational Culture
- What does the group/organisation do?
- How members, staff and volunteers contribute to the culture
- What members, staff and volunteers can all do

Create and publish an organisational chart so people can visually see who does what and who the people are.

Below are some policy/procedures to have (not exhaustive and each may need additional info)

Social Media

Privacy

Confidentiality policy and agreement

Financial Delegations

Intellectual Property

Conflict of Interest

Conflict Resolution

Use of Mobile Phones

Recruitment and Training

Tools and Equipment use

Working with Children

Occupational/Workplace Health and Safety

Incident Reporting

First Aid

Risk Assessment Indoor/outdoor

Event Planning

Record Keeping

Inappropriate Behavior/Code of Conduct

Workplace bullying including cyber

Working in hot environments

Remote / isolated work

Employment practices e.g working from home, award compliance.

Contracting/Consulting practices

Vehicle use

Insurance

Risk Policy

Psychosocial hazards / Health and Well Being e.g. harassment, discrimination.

Environmental Management Plan

Governance calendar

Safe Work Method Statements for all activities.

COMMUNITY ORGANISATIONS - EVENTS QUESTIONNAIRE

Please complete for every event

Organisation Name:		
Event Name, if different from above:		
Description of Event/Activities: <i>(Please provide brochures, flyers, etc)</i>		
Location of Event/Activities Site:		
Date of Event/Activities:		
Hours of Operation:		
Expected Number of Attendees:		
Have you run this event before? Yes <input type="checkbox"/> No <input type="checkbox"/>		
If Yes, how many attended last time this Event was held?		
How many Stalls are at the Event?		
Do all vendors/exhibitors, contractors, food providers, amusement operators, performers carry their own liability insurance?	Yes <input type="checkbox"/> If Yes, copies of policies and/or certificates of currency must be provided	No <input type="checkbox"/>
Are you noted as Principal on the above vendors, etc insurance?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Will alcohol be sold at the event?	Yes <input type="checkbox"/> If Yes, please complete the Alcohol Declaration attached	No <input type="checkbox"/>
Are attendees allowed to bring alcohol to the event?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Will there be entertainment at the event e.g. opera, jazz, rock, theatre, street walkers, etc?	Yes <input type="checkbox"/> Type _____	No <input type="checkbox"/>
Do performers hold your organisation responsible for injuries suffered?	Yes <input type="checkbox"/> If Yes, please provide copy of contract	No <input type="checkbox"/>
Is there any security at the event?	Yes <input type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/>	No <input type="checkbox"/>
If Yes, do they hold their own Liability insurance?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Is there medical personnel at the event?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If Yes, what sort, number and qualifications?		

Signed: _____
(For & On Behalf of the Organisation)

Dated: _____



Managing Risk in Practice

Activity: Bushy Creek Beautification Day

Date: 30/06/23

Participants: See participant list




Overseen by: Abdul

Hazard Identification Will you be exposed to any of these hazards today?	Have these hazards been assessed? Are these hazards controlled well enough?		Risk Control List the extra controls you need to make to work today safe. Use over the page if more room is required	Who is responsible? For ensuring controls are implemented	When Controls to be implemented
	Yes	No			
Manual Handling (ie, lifting, pushing, repetitive work)					
Plant & Equipment Hazardous substance / Dangerous Goods / Asbestos					
Loud or excessive noise					
Potential to fall from height					
Animals / Infectious Diseases					
Electrical Wires Overhead / Underground					
High Pressure Equipment Fluid / Air / Gas					
Slips / Trips / Falls					
Contractors / General Public					
Traffic Conditions / Traffic Management					
Extreme Weather Conditions Heat / Cold / Storms					

Job Safety Analysis

Area/Unit/Location:			Project/Job Name/No:		Manager:
Work Activity/Task: Small use of glyphosate herbicides (cut & paint)			Staff consulted: Name/Signature		Name/Signature
Date to commence:		Date of JSA:			
Prepared by:					
Signature:					
Item	Job Step Break the job down into steps.	Potential Hazard What can harm you?	Risk Rating	Controls What you are going to do to make the job as safe as reasonably practicable.	Person Who Will Ensure this Happens
1.	Decant herbicide from bulk container into labelled applicator bottles. Add herbicide only to bulk 20L container. Add water if appropriate.	<input type="checkbox"/> Neat herbicide/Active ingredient <input type="checkbox"/> Skin contact/absorption <input type="checkbox"/> Splashes to eye, mouth, ear face <input type="checkbox"/> Breathing vapours / inhalation	Low	<input type="checkbox"/> Have a good working knowledge of herbicide. Read MSDS, label and off label permit (attached). <input type="checkbox"/> Wear required PPE to protect skin & eyes. <input type="checkbox"/> Perform task in chemical shed (to contain spills) Doors open for ventilation.	staff member with Chemcert or equivalent training.
2.	Load and transport applicator bottles and containers up to 5L.	<input type="checkbox"/> Spills of neat or high percentage herbicide. Resulting in Skin contact/absorption or Splashes to eye, mouth, ear and face. <input type="checkbox"/> Theft of herbicide from vehicle	Low	<input type="checkbox"/> Transport labelled applicator bottles upright in a sealed container. NB label must show correct signal heading of herbicide. <input type="checkbox"/> Securely attach container to vehicle. <input type="checkbox"/> If vehicle is to be left unattended keep herbicide container out of sight. <input type="checkbox"/> Don't transport herbicide containers in cabin.	staff member or Bushcare volunteer

Incident report form

 **QWaLC**
QUEENSLAND WATER & LAND CARERS

Type of Incident

☐ Near miss ☐ Medical treatment case

☐ Other significant event ☐ First aid case

If medical treatment case, where was treatment obtained?

Work Site Details

Project Location:

Project Manager:

Incident Details

Incident/Injury: Day: Date: Time:

Injured Person: ☐ Male / ☐ Female

Type of injury:

Body Part Injured:

Location of accident/incident:

Witness/es:

Task undertaken by injured party:

What safety instructions and/or training were given prior to project?



<https://qwalc.org.au/member-group-resources/>



LANDCARE
IN A BOX
SERIES

LANDCARE IN A BOX

Social media and your organisation

Legal information for community organisations

This fact sheet covers:

- ▶ the most common forms of social media – Facebook and Twitter
- ▶ the risks to your organisation from social media use, and
- ▶ steps you can take to minimise risks and maximise the benefits of using social media

What is social media?

Social media refers to any form of internet site or app that allows for social networking. It includes sites and apps such as Facebook, Twitter, Instagram and Snapchat. This fact sheet focuses on Facebook and Twitter (the two most popular forms of social media) however, the risks identified and recommendations made to minimise these risks apply to other sites and apps that may be used by community organisations.



Note

This fact sheet provides information on social media. This information is intended as a guide only, and is not legal advice. If you or your organisation has a specific legal issue, you should seek legal advice before making a decision about what to do.

Facebook

Facebook has been an incredibly popular social networking service. As early as 2017, there were over 1.86 billion monthly active Facebook users worldwide. Facebook connects people who have signed up to Facebook (users) with other users, events, businesses, causes, not-for-profits and interest groups.

Individual users on Facebook create a 'profile', which includes information about themselves and a 'wall' on which people can post comments. Once a profile is created, users can post onto Facebook and add other users as 'friends'. 'Friends' can see each other's profiles and share stories, photos, video, events and other content.

If you want to set up a profile for your organisation, you can create a 'page' for your organisation. This works in a similar way to an individual profile. When people 'like' your organisation on Facebook this means they see your organisation's page and, if permitted, can write messages and post content onto your organisation's wall.

Facebook also allows organisations to create and join 'groups', to advertise goods and services and to integrate Facebook with other applications. It also provides a number of tools to help you fundraise.

Risk management and insurance for community organisations

Oct 2024

Defamation and Not-for-profits

10 April 2025

Guest presenters:

Richard Leder and Blake Pappas, Wotton Kearney

© Justice Connect 2025



www.nfplaw.org.au



Resources



Advice



Referrals



Advocacy



Training



Cyber security

Legal information for community organisations

This fact sheet covers:

- ▶ key cyber security terms
- ▶ common cyber risks
- ▶ protecting information from data breaches
- ▶ creating response plans
- ▶ reforms under the Cyber Security Act



Disclaimer

This fact sheet provides information on cyber security. This information is intended as a guide only, and is not legal advice. If you or your organisation has a specific legal issue, you should seek legal advice before deciding what to do.

Please refer to the [full disclaimer](#) that applies to this fact sheet.



Note

This fact sheet aims to help your organisation handle personal information in a way which is consistent with both your legal obligations and community expectations.

The Office of the Australian Information Commissioner's ([OAIC Australian Community Attitudes to Privacy Survey 2023](#)) demonstrates a major shift in how Australians expect their personal information to be handled – Australians value organisations who take proactive and quick reactive actions to protect customers and only collect information that is necessary.

Cyber-attacks on Australian organisations are becoming increasingly widespread and Cyber security is one of the most important concerns for Australian organisations.

Cyber security and compliance with privacy laws are two sides of the same coin – both work to protect your organisation's information, electronic systems and digital information and reduce the likelihood of a breach.

While it's not possible to guarantee that your organisation will never suffer a cyber incident or data breach, there are steps you can take to minimise the likelihood of an incident or breach occurring, and to limit the extent of harm caused.

CPA AUSTRALIA

Financial Management and Governance Guide for Not-for-Profit (NFP) Organisations

August 2023



Resources

www.qwalc.org.au

<https://www.communitydirectors.com.au/>

www.acnc.org.au

www.nfplaw.org.au

[The Australian Indigenous Governance Institute](#)

<https://conservationvolunteers.com.au/safety-management-toolkit/>

www.connectingup.org.au

<https://volunteeringqld.org.au/governance/>



Items to note

QWaLC 21st year
celebration 21 in 25

National Landcare
Conference 2025 Gold
Coast 21st September
to 24th September