Event Management -
A Local Government Guide

Participant Manual

Developed by Statewide Mutual

Version 5

January 2013

Disclaimer

The information provided by Statewide Mutual in this Participant Manual is of a general nature, and has been provided solely on the basis that users will be responsible for making their own assessment of it, having regard to their own circumstances, needs & requirements and those of their Council.

While Statewide Mutual endeavours to provide up to date information and guidance for your use, it may be open to misunderstanding or misinterpretation. Consequently you should seek independent legal advice where you intend using this information.

Statewide Mutual expressly disclaims any liability associated with, or arising from, the use or incorporation of the information provided in this Participant Manual by the user.

Contents

Introduction

Local Government, the third tier of Government and closest to the community, has amongst its many other functions a duty to coordinate, be a participant in, and jointly or fully manage many types of public events.

To be successful events need to be managed effectively, in order to satisfy the Councils duty of care, its own risk management requirements and WHS obligations.

Councils have a "duty of care" to people attending their facilities and must be able to demonstrate that they have exercised "due diligence" in the event management planning process.

To do this Council needs to be aware of the risks associated with running an event in order to manage these risks, ensuring the event does not end in disaster.

The Civil Liability Act provides some protection to Councils against Public Liability claims that may arise from an incident occurring at an event. In order to take advantage of this protection, the Act requires Council to provide documentary evidence that it has followed a thorough process in its event preparation, thereby fulfilling its duty of care to the community.

This Workshop aims to provide a step by step process to ensure an appropriate risk management approach is implemented and seamlessly incorporated into each stage of the event management process.

Councils are encouraged to consider the process outlined within this document and to develop its own procedures, reflecting Council's needs and resources

The International Standard for Risk Management AS/NZS ISO 31000:2009 and associated documentation supports a holistic and systematic approach to the management of risk. This manual follows the processes outlined in the Standard.

This material is based on the Statewide Mutual Guidance Note "Event Management", and also makes reference to RMS (former RTA) Guidelines for Bicycle Road Races (2004) and Guide to Traffic and Transport Management for Special Events (2006). (Refer to Section 7 Reference Documents for more reference material).

1. What is an Event?

An event may generally be described as "a social gathering or activity". Where an event involves a local authority it needs to be a well organised and managed activity or festival which can offer the community a range of social, economic and cultural benefits. A mismanaged event can put staff, event patrons and the general public at risk, which can expose the event organiser to civil action or prosecution.

Definition

A Public Event, for the purpose of this workshop is:

Any promoted public gathering that Council takes part in, either as an approval authority, an organiser or a participant. Such gatherings may include entertainment, involve the participation of other organisations such as "stallholders", facilitators of an activity or similar, as invited by Council to take part.

Examples of Events

- Australia Day
- Local Government Week
- Official Openings/ceremonies
- Fairs
- Parades
- Expos
- Youth Events
- Seniors Week
- Events organised by § 355 Committee members etc.
- Sports Gala Days

Major/ Special Event

Major events range across a diverse spectrum, from sport, entertainment and markets to cultural events hosted in a permanent venue or adapted public space.

Events can be commercial ventures, fundraising activities or free to community members.

Each event is unique and while today we talk about event planning in a generic sense, the principles can be applied to an event of any size.

Special events can be viewed as a Major Event when they:

- Attract large numbers of people

- Require complex planning

- Include large number of stakeholders

- Involve large numbers of volunteers & inexperienced staff

- Have an impact on the local, district, state or national economy

- Require a carefully considered risk management plan

Small Event

Small events require less complex planning. A small event:

- Attracts a small number of people

- Requires planning

- Has a small number of stakeholders

- May or may not include volunteers

Why does/should Council risk manage events?

Any function or activity of Council requires a degree of management to ensure it is carried out effectively and efficiently. Planning an event is no different. Effective management serves many purposes:

- Keeps a focus on the main objective;

- Ensures appropriate allocation of resources

- Ensures any mishaps encountered along the way are managed as effectively and promptly as practically possible

- Helps to prevent incidents, or mitigate the outcome

- An officer of a PCBU (person conducting a business or undertaking as defined under the Work Health and Safety Act 2011) MUST exercise due diligence

2. Considerations

Who owns the Event?

There are five potential levels of Council involvement:

- Events where **Council is the Approval Authority.**

  Council involvement is restricted to performing a regulatory function. Under §68 of the Local Government Act 1993 and Clauses in the Regulation, Councils are required to approve the installation and operation of amusement devices. Some events may also require a Development Application (DA) or Land Use approval.

- **Events initiated and managed by, and only involving Council**.

  Council, including §355 Committees, holds complete responsibility; for the location, venue, public, staff, volunteers and all activities that Council allows within the context of the event. Council may need to hire equipment and sign hire agreements and/or check conditions. As a minimum, Council should prepare a:

  - Plan
  - Risk assessment
  - Site inspection
  - WHS safety checks
  - Contingencies plan

- **Council is a participant,** not the main organiser.

  Council, including §355 Committees, is only responsible for its own area, level or participation: i.e. staff, volunteers, travel, stall, information, etc. Council may also be asked to sign an agreement detailing terms and conditions by the main organiser and must make sure Council does not accept additional responsibility other than its own.

  Consider all factors mentioned in this document and apply what is relevant to your event. As a minimum, Council should prepare a:

  - Risk assessment
  - Site inspection
  - WHS safety checks
  - Contingencies plan

- **Council is the venue owner,** but not a participant or the event organiser.

As venue owner Council, including §355 Committees, is responsible to ensure the venue is safe and suitable for purpose, and set out terms and conditions of use. Council is also responsible for ensuring the event organiser will run a safe event. As owner of the venue Council should establish a set of requirements, terms and conditions for the users to meet and comply with. This should include insurance and indemnity requirements.

The same level of management for Council events should be required from the event organiser depending on the size of the event. As a minimum Council should:

- Request full details of event including site plan and conduct its own risk assessment for suitability and safety risks

- Obtain a risk assessment from organiser

- Conduct a joint site inspection with organiser

- Detail requirements in writing to the organiser

- Provide written terms and conditions (including insurance and indemnity)

- Check compliance with requirements

- Establish contingencies

- **Council is the main organiser of an event, and other organisations take part.**

Council, including §355 Committees, holds overall responsibility and liability for the event. As such Council has the authority to determine the terms and conditions of other organisation's participation, including ensuring they are adequately insured and carry out a risk assessment for their area and activity. Depending on the event, Council may require disclaimers, waivers, signing of agreements, onsite assessment for plot allocation, etc.

As a minimum Council should prepare a:

- Plan

- Risk assessment

- Site inspection

- WHS safety checks

- Contingencies plan

In addition Council should obtain the following information from other organisations taking part in the event:

- Request full details of their activities including site plan and a copy of their risk assessment to determine suitability and safety risks

- Conduct a joint site inspection

- Provide participants with Council's requirements in writing.

- Provide written terms and conditions (including insurance and indemnity)

- Check compliance with requirements

- Establish contingencies

Why run the Event?

Before planning an event, there are 5 key questions that should be answered:

1. *What are you trying to achieve?*

2. *Is the objective best achieved by holding an event?*

3. *Are there other alternatives to holding an event that would achieve the same result with fewer resources?*

4. *Has the event been approved/endorsed by the Council or the General Manager?*

5. *Is Council the appropriate organisation to manage the event and carry the main responsibility?*

Many community organisations may wish for Council to be the main organiser for the purpose of protecting them under its Public Liability insurance banner. It should be noted that if the event is not part of a core function of Council, Council's insurer may not be able to extend protection to the event.

Impact of the Event

Events are run for many reasons, but all expect a positive outcome; however there may be negative impacts that may not have been foreseen and that can affect not only Council and its participants, but the community as a whole.

For example, a community may benefit greatly financially from the activity in the town, while others may be negatively impacted and possibly suffer significant losses. As part of the objectives consideration should be given to the potential impacts, both positive and negative, outside of Council. In some circumstances the economic benefits may be to the promoter or participating stall/market sellers from out of town rather than local businesses.

While it is accepted that most events will have negative impacts to some sectors of the community, it is the balance of the positive & negative impacts that has to be established.

Types of Impact

On the Community

Physical

- Construction of new facilities

- Improvement of local infrastructure

- Environmental damage

- Overcrowding/congested access to infrastructure (e.g. public transport)

Socio-Cultural

- Increase in permanent level of local interest and participation in the types of activities associated with the event.

- Strengthen the local government area's tradition and values

- Commercialisation of activities which might be of a private or personal nature

- Modification of the nature of an event to accommodate tourism

Psychological Impacts

- Increase local pride and community spirit

- Increase awareness of non-local perceptions

- Defensive attitude toward host area

- Misunderstanding leading to varying degrees of host/visitor hostility

Economic

- Increase expenditure

- Create employment

- Real estate expectations

- Increase pricing during the event

Tourism/commercial impacts

- Increase awareness of the area

- Increase knowledge of potential for investment and commercial activity

- Acquisition of a poor reputation as a result of inadequate or improper facilities and/or improper practices

- Negative reactions from existing enterprises due to new competition

Political

- Enhance international recognition of an area and its values

- Change political values held by the population

- Economic exploitation of the local population to satisfy ambitions of the political elite

- Distortion of the true nature of an event to reflect values of the political system of the day

On Council

Public Liability/Professional Indemnity

- Council needs to assess the potential exposure to liability claims when planning or approving an event.

Work Health and Safety (WHS)

- Council has a responsibility for the health and wellbeing not only of its staff, but also volunteers, contractors, participants, and the public. It should be noted that §27 Duty of Officers means that those within Council designated as an "Officer" (generally the GM) will have to exercise due diligence to ensure WHS compliance, and this duty cannot be delegated.

- If meeting this duty is too onerous, consideration should be given to cancelling the event.

Reputation

- Elected members of Council will want to ensure that their and council's reputation does not suffer due to mismanagement of the event.

Financial

- Council needs to assess the potential cost of a proposed event. This may include:

    o Upfront costs in terms of the provision of resources (staff, equipment)

    o Major expenditure such as construction of new facilities. If Council is considering constructing a new facility or upgrading a facility for a proposed event it is particularly important that the costs be justified to the community. The benefits of the event would need to be substantial to justify such costs.

    o The potential costs for damage to public places

    o Costs associated with waste removal as a result of an event. Council needs to set appropriate bonds to cover these costs. These need to be collected from promoters before the event to cover any costs that may arise. The conditions of approval should also reflect Council's expectations in terms of protection of property during the event and clean up following the event.

Tourism/ Commercial

- Council is also responsible for ensuring the viability of the region and thus must ensure there are no adverse impacts on existing tourism/commercial interest in the immediate or long term.

Political

- Council holds close links with both State and Federal governments and depends on them for funding in many areas. An unsuccessful event may have serious consequences at State or Federal levels.

Environmental

- Council has a legislative obligation to ensure that not only is the environment maintained but it is not adversely affected by any activity. Fines apply for noncompliance.

Legal Considerations

The complexity of event management means there may be legal issues to address before, during and after the event.

Council may need to seek professional and legal advice before planning for the event.

Legal exposures must be considered in order to protect organisers & stakeholders from prosecution or civil action.

Some matters that may require legal and professional advice include:

- **Contracts** with:
    - Volunteers
    - Suppliers
    - Performers
    - Sponsors
    - Contractors
    - Venue owners (if other than Council)

- **Copyright material**
    - Unauthorised use of intellectual property

- **Revenue raising**
    - In the conduct of fundraising activities

- **Insurance**
    - Early notification to Statewide to ensure protection is extended to event
    - Advice may need to be sought on the type and level of insurance required by participants

- **Employment entitlements**
    - Wages/taxation issues

- **Licenses**
    - Obtaining relevant licenses e.g. Liquor

- **General legal compliance**
    - Compliance with legislation and laws re: noise, animals, food handling etc.
    - Police Permit for Public Assembly (Refer *7. Reference Documents*)

Duty of Care

The Event Organiser

The Event organiser is the person or organisation responsible for approving, planning and coordinating the event and whose name appears on the Public Liability Insurance Policy.

If the event involves Council inviting participants, there are two levels of Duty of Care to observe:

- The Duty of Council as the main organiser to its participants as well as the public; and

- The duty of care owed by the participants towards the public.

The law says that if it is "reasonably foreseeable" that a person might suffer some sort of loss or harm because of something someone else does, then that person is owed a duty of care.

Where Council is the owner of the land/venue where the event is to take place but Council is not the organiser, Council still has a duty of care to ensure the land or venue is suitable for the activity it is being used for and that it is safe from hazards.

Onsite Inspection and Induction

As the main organiser of the event it is Council's duty to ensure the site is safe and that the participants are familiar with the site. For this to occur it is recommended that an onsite inspection be carried out to ensure all the needs of the event are met.

A pre-event induction should also take place with all the participants to ensure their safety and the appropriateness of the allocated area.

Council Staff and Volunteers

Staff and volunteers of Council appointed to participate in the planning and coordination of an event must be appropriately selected and engaged.

- **Delegation** for the approval of any part of the event or as a whole.

  Depending on the size of the event, the responsibility for approving activities should be taken at senior staff member level, Director or General Manager. Delegation may include the approval of expenditure, contracting or allowing an activity to go ahead. This role cannot be given to volunteers. (Please note the WHS "Officer" implications)

- **Qualifications, Training and Competency**

  The appointed staff member must be familiar with all aspects of the event for which they are responsible. If not, then appropriate training and guidance must be provided to ensure that staff, and anyone participating in the event does so in a safe manner. Likewise, volunteers must also be carefully selected and appropriately trained to carry out any tasks at the event. Additionally an appropriately delegated staff member should be appointed to coordinate and oversee volunteers' tasks.

  The following tasks should also be carried out:

  - A register of activities training and competency assessment must be kept for all staff and volunteers.

  - Responsibilities should be appropriately allocated and clearly communicated to staff and volunteers to ensure there is no confusion.

  - A record of these responsibilities should be kept and used to form part of the event management plan.

- **Participant Induction** – an induction of the site should be conducted on site with all staff and volunteers immediately prior to the commencement of the event, to ensure everyone is completely clear about their role.

Industry Standards Compliance

There are many industry standards that apply to events, from erecting a marquee, working at heights and food preparation to the use of electrical equipment and extension leads outdoors. Council needs to be aware of these and comply at all times.

Traffic Management Plan

A Traffic Control Plan (TCP) or Traffic Management Plan (TMP) (or both) may be required for outdoor events depending on where the event will take place and if traffic will be impacted (i.e. parades, roadside activities, etc.). If RMS roads are affected, then Council must notify and follow the requirements of the RMS. For local roads, Council must apply its own requirements (risk assessment, TCP, etc.). Please note that the RMS has specific guidance documents for outdoor events that require traffic management. These documents are available from the RMS website. (Refer *7. Reference Documents*)

Council's legislative requirements

Council's legislative requirements include, but are not limited to the following instruments of legislation:

- Civil Liability Act 2002: Sections 40 to 46

- Work Health and Safety Act 2011: Section 27

- Protection of the Environment Operations Act 1997 (as amended)

- Local Government Act 1993 (incl. Section 355)

- Environmental Planning and Assessment Act 1979

- Companion Animals Act 1998

- Summary Offences Act 1988 (Part 4 Public assemblies) (Refer *7. Reference Documents*)

Approvals for Council or Other Event Organisers – Legislation used by Council

There are two main pieces of legislation that apply to Council approvals for public events:

- The Environmental Planning and Assessment Act 1979 Development Applications – § 90 matters for consideration

- The Local Government Act 1993 - Specific approvals regarding temporary structures, waste and entertainment uses (§ 68) and Local approvals policies (§ 89,158,160,167)

There are a number of options for Councils to choose from when processing applications for public events. The approach a Council adopts will depend on its local environment, the needs of the community, and its vision for the future.

Event organisers will need to liaise with the appropriate areas of Council to obtain approval in accordance with Council's local policies.

Within the legislative framework, Councils may:

- Require submission of a development application for all or some types of events as defined in their Local Environmental Plan.

- Require submission of an application under the Local Government Act for all or some types of events or particular components of the event e.g. construct a temporary structure for the purpose of public entertainment.

- Add matters for consideration relating to events or a local events policy to Part 2 of their Local Approvals Policy, which guides their decision making process.

Approval from Management

According to WorkCover, all events run or coordinated by Council should be approved at a management or Council level. Council should have a process in place to obtain or seek this approval and ensure it is documented. This approval should be obtained prior to the event and should be given only when all necessary details relating to the event are known. WHS Act 2011, §27, Duties of Officers cannot be delegated.

Council must also seek final approval when all planning is in place and the event is imminent. This allows for management to be aware of all aspects of the event and if any amendments have been made from the original approval.

Council's Insurer Requirements

Jardine Lloyd Thompson Australia, on behalf of Statewide Mutual, requires written notification of all events.

Early notification is ESSENTIAL to ensure the event has been signed off via all areas and requires a minimum of *4 weeks** for this process to be completed.

If less than *21 days** notice of the event is given there may be difficulty in getting confirmation of cover as agreement may need to come from Statewide Mutual Reinsurers in London.

As a rule of thumb, each council needs to check with their individual Account Managers on what their requirements may be.

* = timeframes are indicative. Please check with your Account Manager.

Council's Insurance

- Council should hold the following insurance policies:
    - Public & Products Liability
    - Volunteer Personal Accident
    - Property Insurance
    - Workers Compensation
    - Motor Vehicle (Comprehensive)
- Refer to your Account Manager for full details on Council's portfolio.

Check with your Account Manager regarding your insurance coverage to ensure it is appropriate. Be sure to go through the designated Council Officer contact.

Third Parties' Insurance Requirements

All users of Council facilities and invited participants to an event must have appropriate insurance depending on their level of involvement and the activities they are undertaking. To protect the Council's interests all third parties involved in an event should provide to Council copies of the following insurances:

- Public Liability Insurance in respect of activities performed by and equipment brought to the facility by the user (e.g. amusement devices, stages, stalls, display equipment etc.). Public liability insurance should, where necessary include goods sold / products liability. Recommended minimum indemnity limit of $20 million.

- Workers Compensation

Optional covers that third parties participating in a Council event could also hold to protect their own interests could include:

- Personal Accident Illness/Income Protection

- Volunteer Insurance

- Contents Insurance

- Motor Vehicle Insurance

- Property Insurance

Check with your Account Manager regarding the most appropriate insurance coverage to request from third parties. Be sure to go through your Council's designated Contact Officer.

Stakeholders - Communication and Consultation

Stakeholders are those individuals or groups/organisations who will have a certain level of influence on the event, or will be affected by or have an interest in the event.

Most major events require close consultation with a broad range of external and internal stakeholders. It is important to identify relevant stakeholders and understand their relationship to the event organiser.

Developing a simple table that lists and categorises all identified stakeholders is a useful means of doing this. The relationship that each has with the event and the event organiser will dictate the way the event organiser communicates and consults with them.

In determining consultation methods, consider the type of event being planned and who should be involved in the planning stage. Some stakeholders may only need to know what is happening while others may need to provide approvals.

You will need to identify if the coordination of the event will require a team or if one or two staff members will be sufficient? If the event is of a significant size, a group would be better suited to manage the event rather than one person alone.

It is also important to ensure that the right people are consulted, if not as part of the organising group, then as a source that can be called upon for their expertise.

Where the event is being organised by a Council Committee of volunteers it is most important that at least one Council employee is appointed to oversee the planning to ensure all necessary steps are taken.

How you communicate with the stakeholders is also important to consider. It may be the key to an event going ahead successfully or having to deal with problems.

Contingencies

Preparing and planning to make sure the event goes ahead successfully is one thing. But as we all know, things can, and sometimes do go wrong.

There are things that Council or the organiser cannot control, and you need to plan carefully for these in case they occur. Some of these things include but are not limited to:

- Weather
- Unexpected numbers of participants (too many/too few)
- Fire
- Chairs do not arrive

Incidents during the event may also require management including:

- Medical emergencies (e.g. heart attack)
- Missing child
- Staff member with illness or injury rendering them unable to work.

Unforeseen situations can arise during the planning stage or during the event itself. The sooner you begin planning for contingencies, the better this will be.

For example, for an outdoor event, what measures do you have in place should the weather or other factors prevent the event from going ahead?

Every event needs to have a designated Coordinator/Overseer position. This person must be aware of all activities and ensure all actions at all stages of the event are running effectively. An "Emergency Strategy" with an established line of communication listing all persons to call in a variety of circumstances also needs to be developed.

3. Planning an Event

Establishing details of the Event – the Planning Process

The planning process requires thought on all the aspects of the event that you are planning, *including but not limited to:*

- **WHAT** type of event?

    o Will it be an official event with invited guests only; an event that is open to the public; a youth event; a family oriented event, etc.?

    o Consideration should be given to what you will need to book, buy, hire or borrow

    o A plan of the area and where activities and equipment will be located/placed is always a good place to start

- **WHEN** will it be held?

    o Time of year / Season.

- **WHERE** it will be held?

    o Indoor/outdoor

    o Location

    o What's around the venue?

- **HOW** will it be managed?

    o How big is it expected to be?

- **WHO** is to be invited/ targeted?

    o How will the event impact on the duties of the staff involved?

It is important to plan early and research any requirements that may need to be met, e.g. signing of agreements, insurance documents, risk assessments from participants, booking of venues, etc.

4. Risk Management Process

Most event organisers manage risk intuitively to some degree; however, many do not do this in a conscious and systematic way. The information contained in this workshop aims to assist event organisers to take a more structured approach in the management of event whilst managing risks in order to achieve a positive outcome.

The risk management process is defined at an international level under the International Standard for Risk Management AS/NZS ISO 31000:2009. This incorporates the original process of risk management used in Australia prior to the adoption of the International Standard and includes the identification and assessment of risk, development of controls and implementation of those controls. AS/NZS ISO 31000 goes further by providing a framework for risk management and defining the need for a holistic, systematic approach.

AS/NZS ISO 31000:2009 Figure 1 - Relationship between the principles, framework and process
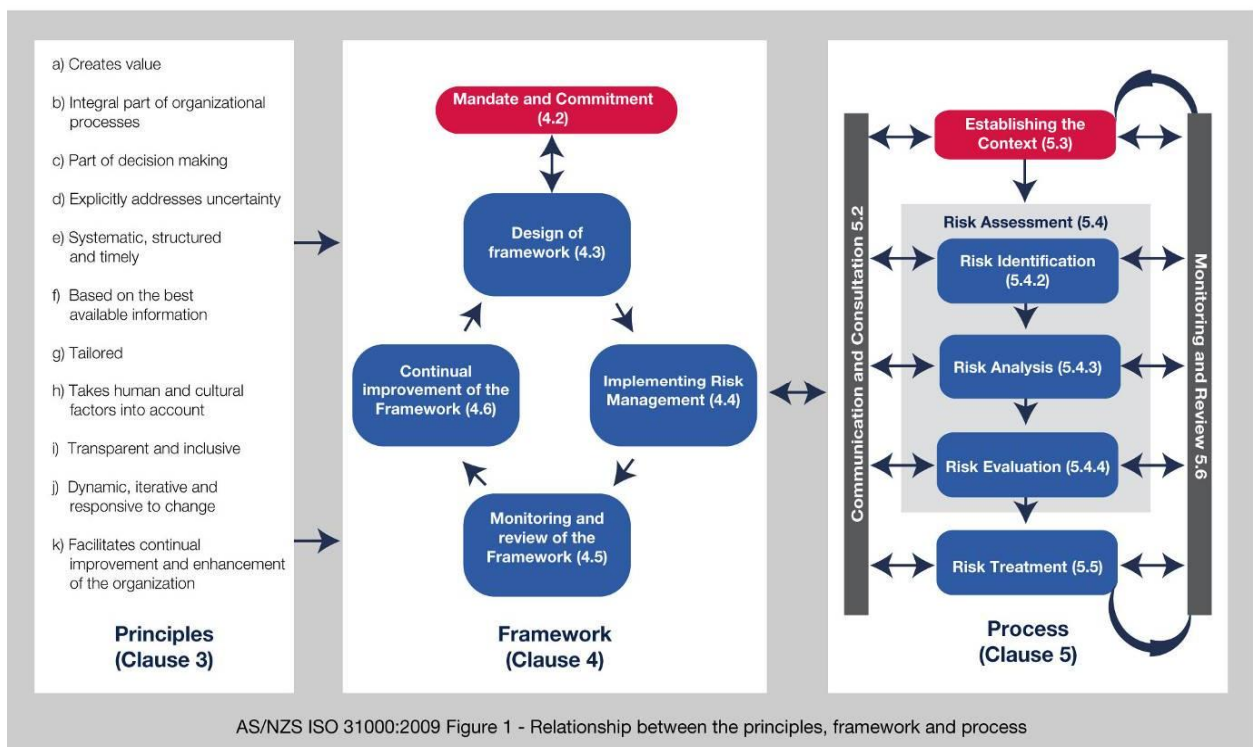
Source: AS/NZS ISO 31000 Risk management – Principles and guidelines

Key points of the Standard

- Provides a framework

- Links to organisational objectives

- Establishes a set of principles

- Defines the risk management process

- Uses definitions of risk and risk management for that have international acceptance and understanding.

The Risk Management Process

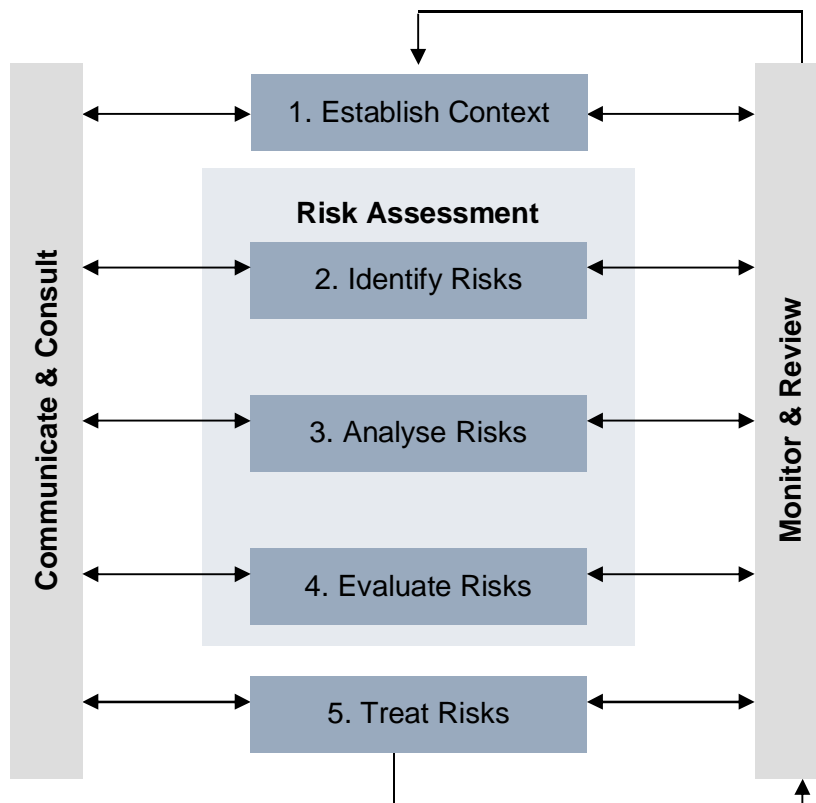The process of risk management used throughout this series of workbooks and is explained below:

```
                    ┌──────────────────────┐
                    ↓                      │
┌──────────────┐  ┌─────────────────────┐  ┌──────────────┐
│              │←→│  1. Establish Context │←→│              │
│              │  └─────────────────────┘  │              │
│              │   ┌───────────────────┐    │              │
│              │   │  Risk Assessment   │    │              │
│  C           │   │ ┌───────────────┐ │    │  M           │
│  o           │←→ │ │ 2. Identify   │ │←→   │  o           │
│  m           │   │ │    Risks      │ │    │  n           │
│  m           │   │ └───────────────┘ │    │  i           │
│  u           │   │                    │    │  t           │
│  n           │   │ ┌───────────────┐ │    │  o           │
│  i           │←→ │ │ 3. Analyse    │ │←→   │  r           │
│  c           │   │ │    Risks      │ │    │              │
│  a           │   │ └───────────────┘ │    │  &           │
│  t           │   │                    │    │              │
│  e           │   │ ┌───────────────┐ │    │  R           │
│              │←→ │ │ 4. Evaluate   │ │←→   │  e           │
│  &           │   │ │    Risks      │ │    │  v           │
│              │   │ └───────────────┘ │    │  i           │
│  C           │   └───────────────────┘    │  e           │
│  o           │   ┌───────────────────┐    │  w           │
│  n           │←→ │   5. Treat Risks   │←→   │              │
│  s           │   └───────────────────┘    │              │
│  u           │        │                   │              │
│  l           │        └───────────────────┘↑             │
│  t           │                              │             │
└──────────────┘                              └─────────────┘
```

Communicate & Consult

During this stage it is important to identify the Event's stakeholders and how you will communicate with them. Stakeholders could include committees, relevant council officers, schools, RFS, Police, SES, stallholders, members of the public, other government agencies and so on (Refer to p17 for further information).

Establish Context

Establishing the context sets the scene and establishes how much work needs to be done. This stage requires the event organiser to look at the event making a record of everything planned so that they know what to plan for. In undertaking this task it is important that everything should be captured and nothing left out. If something is found to be irrelevant, it can be omitted at a later stage.

When establishing the context it is important to not only look at what is expected to happen at the event, but also consider how the event will interact with its external environment. In this way it will be possible to identify the potential impacts (positive or negative) that the event may have within the broader community.

Some of the things that should be considered at this stage include:

- Who is organising the event?

- What activities are involved?

- Purpose – Why is the event being organised and what is the desired outcome?

- Clearly define the event – What format will the event take? (e.g. exhibitions, shows, parades, spectators, level of participation etc.)

- Size of event – What are the estimated visitor/participation numbers?

- Venue – What restrictions does the venue create? Are there any parameters that need to be considered due to venue choice? (e.g. conditions of use, venue capacity, alcohol free areas, etc.)

- What structures, rooms, equipment will be used?

- How will the event be laid out? Has a site plan been prepared?

- What impacts could the event have on the community? Consider possible positive and negative impacts.

- Who is able to provide additional information/guidance to assist with the project?

Risk Identification

Risk identification is the phase where Council recognises its exposure to uncertainty. It is the first step in building a risk profile for the event.

AS/NZS ISO 31000:2009 defines risk as the "effect of uncertainty on objectives". Risks can have positive or negative consequences and can come from a number of sources.

For the risk identification process to be effective, this stage must be approached in a methodical way to ensure that all the activities undertaken as part of the event are considered, and the risks associated with these activities, both positive and negative, are identified, documented and communicated.

Council's standard risk assessment forms and processes should be used to record your findings.

Sources of Risk

In identifying risks it is often useful to first prepare a list of hazards – a list of activities, objects or circumstances that could provide potential sources of risk. The information recorded when you established the context of the event can assist with this task.

It is important to recognise that there can be a number of risk sources when identifying risks. These can include:

- the goals and objectives of the event

- resources, or a lack thereof

- activities – pre, post or during the event

- event stakeholders

- the event program

Categories of Risk

In addition to a wide range of risk sources it is also important to look at the categories of risk that should be considered as part of your event.

As part of this process you should look at all of the factors that were identified when you looked at the "Considerations" section of organising your event (Refer p7-18). Most of these will carry a risk that will fall under one or more of the following categories of risk:

- Public liability (public safety)

- Work Health and Safety

- Environment

- Financial

- Political

- Reputation

- Other?

These categories can be used to describe the level of risk and give a more accurate meaning to the consequence ratings used during the risk analysis process. Definitions for each category of risk should be developed by your Council commensurate with organisational risk appetite. Check with your Council's Risk Management Officer to determine if this has already been done.

Risk Analysis

Knowing the impact of potential risks will assist in determining what activities should be included in the event program. It can also help to determine where modifications or changes should be made to ensure risks are eliminated, reduced or controlled so as to maximise positive consequences and minimise negative impacts.

Identifying and analysing risks in terms of consequence and likelihood provides the event organiser with a snapshot of the environment they are working within, in terms of risk exposure.

The likelihood descriptor used as part of the risk analysis phase helps to define the chances of the risk identified happening. Consequence, on the other hand looks at what could happen, or how bad/good it could be, if the risk eventuated.

Risks are often best described as: "There is a risk that [*describe what could happen*] resulting in [*a specific consequence*]". Following this methodology helps to ensure that there is a true correlation between the likelihood and consequences used to generate the risk priority or a specific risk and that risks are neither over or understated.

Risk Evaluation

Evaluating risks allows the event organiser to establish a priority list of hazards according to their severity.

Using Council's standard risk assessment processes each risk should be evaluated using a risk matrix to determine a rating that will identify the severity of the risk. A common method of describing the level of risk is to use **Low, Medium, High, Very High and Extreme** priority descriptors. Other priority descriptors can be used and the risk matrix used for your event should reflect the agreed rating classification used by your Council.

Once the severity of the risk has been determined this can be used to highlight the course of action recommended commensurate to the level of risk. The treatments developed and actions taken should also reflect this level of risk.

Note: As a member of the Statewide Mutual Scheme Councils are required to **inform their Account Manager** of the event and forward a copy of the program, risk assessment and plan for notation and endorsement under Council's Public Liability Insurance requirements.

Where the event involves other organisations as participants, it is recommended that these organisations take part in an onsite inspection of the area to know exactly what will be involved in their preparation as well as the event as a whole. Issues such as the types of activities placed side by side, or noise issues that could affect other stakeholders can be resolved prior to the event taking place.

Participating in an onsite assessment early in the planning stage also allows the event organiser to consider the suitability of the chosen site. Relevant stakeholders (i.e. stall holders, amusement device providers etc.) should take part in this process.

Risk Treatments and Controls

Managing the impacts

Council's decision to approve an event needs to follow a sound and balanced consideration of the likely economic, social and environmental impacts of the event.

The key to a successful event is managing the impacts of events effectively. Approvals may be granted with conditions attached to ensure that the impacts identified by Council are

controlled by the organiser/promoter. In particular, any negative impacts that are identified need to be appropriately controlled, monitored and mitigated. Further, the effectiveness of controls, and the actions required to achieve those controls, should be monitored and used to inform Council's future policies and procedures for events.

Decision time

How each risk is treated will be determined by your Council's level or risk acceptance, or **Risk Appetite**.

For example, a rating of "Extreme" carrying the potential for death, significant financial loss environmental damage, or risk to political reputation may be deemed to be unacceptable and require an immediate response by Council's Senior Management Team.

On the other hand, not every risk assessed will require additional controls. For example, those with "Low" ratings may only need to be managed by routine procedures. Similarly, requirements for risks with a "Medium" priority can also differ depending on each Council's risk appetite.

Treatments or controls and actions can be used to reduce the level of risk to an acceptable level. Once treatments have been implemented it is important to reassess their effectiveness through a residual risk assessment, which can be used to help identify the effectiveness of the controls and actions, and whether the risk has been reduced to an acceptable level.

What is an acceptable risk level needs to be determined by your Council, and in some circumstances it may be necessary to eliminate the source of the risk, which could mean removing a whole activity from the program, or developing additional controls to manage the risk at an acceptable level.

What constitutes an effective control?

There are no hard and fast rules about controls, except to consider the "most effective" treatments given the potential level of risk exposure and resources available.

What is important when deciding an appropriate control or set of control measures is that all of the available information is considered in order to make an informed decision that can be justified. The objective of implementing a control is to reduce the impact of the risk to an acceptable level in accordance with the organisation's risk appetite.

Under WHS legislation, when developing controls and actions in response to a safety risk identified as part of a risk assessment, organisations must consider the following hierarchy of controls:

- Eliminate

- Substitute

- Isolate

- Implement Engineering Controls

- Implement Administrative Controls

- Ensure the provision and use of suitable Personal Protective Equipment

This framework, although not mandatory for other categories, can provide a useful guide regarding the possible effectiveness of controls.

Actions

Developing controls for the identified risks will generate actions that need to be completed. There can be several actions required to achieve one control that may be carried out by different people.

Using this information an Action Plan can be created that will help to manage the project and allow the event organiser to coordinate the event in an efficient manner at minimum risk.

Each step, decision and consideration can form the basis of Council's procedures for future or similar event projects.

Good News!

If the processes described are above are effective, there will be no need to go through the whole process again the next time the event is held. All you will need to do is review your processes, timetable, risk assessment and proposed controls, and make amendments where something has changed. This is an effective way of building consistency within Council, and over time will help to streamline event management processes.

Contingencies

Contingencies should be identified as part of your Event Control Plans. These are plans that are prepared just in case something happens to prevent your event running to plan.

When preparing for contingencies you are not expected to plan for the unforseen; only scenarios that are reasonably foreseeable should be considered. Further, be prepared to accept that there may be situations that will force you to cancel the event. In these circumstances you will need to deal with the repercussions of this occurring (e.g. payments may still need to be made and contracts fulfilled, etc.)

In order to minimise the impact of events outside of your control try to be flexible with your planning. Be open to settle for a second best venue or date, and consider how the event can be cancelled/postponed at minimum risk to Council.

Part of your contingencies planning should also be to develop a Line of Communication (LOC) list. This should be used for emergency purposes and will identify who should be contacted and under what circumstances.

Monitor and Review

Prior to and during the event, ensure selected treatments are effective and have not created additional risks. If additional risks are identified, these should be communicated to stakeholders using the methods identified and the risk assessed and treated accordingly

Reviews should also be undertaken to ensure that the Project Plan is being implemented in a timely manner and that the operating environment surrounding your event hasn't changed in a way that will negatively impact on the success of your event.

5. Monitor and Review

Monitoring and review should occur throughout the planning stage, during the event and at the conclusion of the event. It is a critical action required to avoid any mishaps.

During the <u>planning stage</u> you will need to ensure that all actions and documentation are on track and followed up where necessary. For example, make sure that insurance details and risk assessments are sent to and received from the appropriate sources.

<u>During the event</u>: This stage should begin with the induction of all participants and recording their attendance at pre-event meetings. Ensure that activities are ready in line with the program and that someone is available during the event to assist with or help manage situations as they arise.

Where it is found that an agreed control did not reduce the risk of a hazard, or created a new hazard, a re-assessment of the risk should be undertaken and additional treatments implemented (residual risk assessment). Any new decisions should be documented.

<u>Post Event Review</u>: This is just as important as the previous two stages. This forms part of the 'debrief' and is done to ascertain the success or otherwise of the event as a whole and of its individual components.

Note: It is important to remember that if Council allows any participants who do not comply with the requirements set by Council (e.g. insurance or risk assessment requirements) to participate in the event, Council will be accepting an additional level of liability on behalf of that participant. While it is strongly recommended that Council not allow this to occur, it can be approved at the discretion of Council, and should be cleared, at minimum, at a Senior Management level. Council must be aware that Statewide Mutual may not provide additional protection should this occur.

Debrief

After the completion of the event it is time to sit down and discuss how everything went. Should anything not go to plan, this process gives you the opportunity to implement more effective measures next time.

A meeting with the key organisers and management should be held soon after the event to capture early impressions, any new ideas, suggestions etc. This information should then be used to form part of the new procedure for managing similar future events.

The debrief process should be documented for future reference, particularly if improvements are necessary.

Meetings, evaluation forms and observation can be used to collect information for use in the debriefing process.

6. Documentation and Records

In accordance with AS/NZS ISO 31000:2009, the process you follow in the planning of an event should be clearly documented at each stage, particularly where decisions are being made.

Should an incident still occur resulting in injury or damage, the documentation will provide critical evidence to demonstrate that due process was followed, and that all reasonable care was taken to prevent and/or minimise any injury or loss.

Where events are a regular activity for Council, these steps will assist you in the development of procedures for managing these events within your Council. Remember that the matters raised and suggested in this Manual are not exhaustive and each Council must conduct their own assessment to determine what is relevant to them.

Record Keeping

Legislative Requirements

Member Councils must be aware of the legislative requirements to keep detailed and effective records. In particular Councils are required to observe the following:

- The Local Government Act 1993, § 739A requires Council to prepare, maintain and destroy records in accordance with approved standards

- State Records Act 1998 - various Sections impose duties on the Chief Executive of each public office to comply with the Act in regards the keeping of records

- Privacy and Personal Information Protection Act 1988 - to provide for the protection of personal information and for the protection of the privacy of individuals generally

- Work Health and Safety Act 2011, § 27 – an officer must exercise due diligence

There is also a vast array of Commonwealth and State legislation that require councils to maintain an efficient and effective records management system, e.g. taxation and payroll records, workplace injury or illness incidents, environmental incidents, effluent re-use records, planning instruments, etc.

Due Diligence and Duty of Care

It should be recognised that under the Local Government Act 1993, Chapter 3, a Council has a Charter to provide "adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively", often on behalf of another level of government.

The Charter also details numerous other functions, none of which can be substantiated without the production of effective and detailed records, especially in the demonstration of due diligence or duty of care. The requirement to demonstrate "due diligence" under the WHS Act has serious implications for senior management in Councils. The duty of an "Officer" cannot be delegated.

Examples of such records might include inspection reports, safety checklists, financial statements, disbursement of grants funding, records of public consultation, project management plans, procedural manuals and complaint registers.

These documents often demonstrate Council's actions in regard to their role as a provider of public services. Clearly all Councils should have systems in place to record their activities, and additional systems to readily recover this data when needed. (See also Statewide Mutual's BPM on Gathering Information for Incident Management).

7. Reference Documents

- Statewide Mutual Best Practice Manual – Gathering Information for Incident Management

- Statewide Mutual Guidance Note – Event Management

- Statewide Mutual Guidance Note – Pyrotechnics and Atmospheric Special Effects

- Statewide Mutual Guidance Note – Use of Council Sporting Facilities

- Wingecarribee Shire Council – Planning a public event

- NSW Premiers Dept. – Event Management Guidelines

- RMS (former RTA) – Guide to Traffic and Transport Management for Special Events

- RMS (former RTA) – Guidelines for Bicycle Road Races

- AS/NZS ISO 31000:2009– Risk management – Principles and guidelines

- Work Health and Safety Act 2011 and Regulations

- Summary Offences Act 1988

- AS/NZS 3760 – In-service safety inspection and testing of electrical equipment

- AS/NZS 3002 – Electrical Installations - Shows and Carnivals

- AS 3533.4.1 – 2005 Amusement rides and devices. Part 4.1: Specific requirements – Land-borne inflatable devices

New South Wales
Guidelines for Bicycle Road Races
1 January 2004
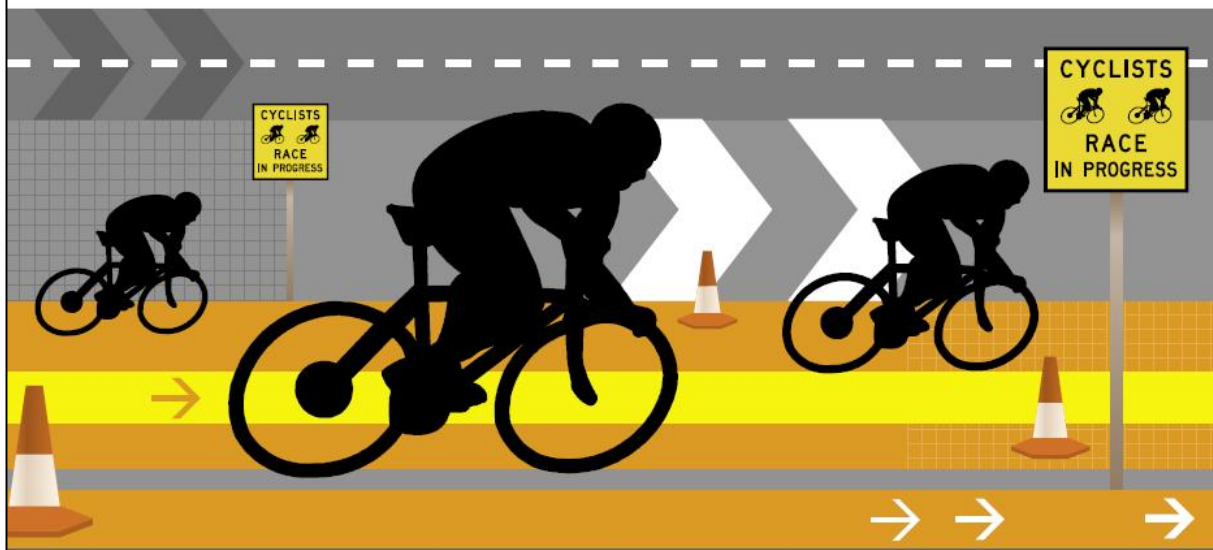
Guide
to
Traffic and Transport Management
for
Special Events

Version 3.4

August 2, 2006

Premier's Department
New South Wales

R T A

Local Government
Association of NSW

Shires Association
of NSW

Summary Offences Act 1988 No 25

Current version for 1 January 2011 to date (accessed 14 January 2011 at 08:01)

New South Wales

An Act with respect to conduct in public and other places; to repeal the *Offences in Public Places Act 1979*, the *Public Assemblies Act 1979* and the *Prostitution Act 1979*; and for other purposes.

Summary Offences Act 1988 No 25

Current version for 1 January 2011 to date (accessed 14 January 2011 at 08:02)

Part 4 Public assemblies

22   Definitions

In this Part:

Commissioner means the Commissioner of Police.

Court means the Supreme Court or the District Court.

organiser, in relation to a public assembly in respect of which a notice has been given to the Commissioner as referred to in section 23 (1), means the person referred to in section 23 (1) (e) (i) by whom the notice is signed.

public assembly means an assembly held in a public place, and includes a procession so held.

public place means a public road, public reserve or other place which the public are entitled to use.

23   Authorised public assemblies

(1) For the purposes of this Part, a public assembly is an authorised public assembly if:

(a) notice, in writing, of intention to hold the public assembly, addressed to the Commissioner, has been served on the Commissioner, and

(b) if a form of notice has been prescribed, the notice is in or to the effect of the prescribed form, and

(c) the notice contains the following particulars:

(i) the date on which it is proposed to hold the public assembly,

(ii) if the proposed public assembly is not a procession, a statement specifying the time and place at which it is intended that persons gather to participate in the proposed public assembly,

(iii) if the proposed public assembly is a procession, a statement specifying the time at which it is intended that the procession commence and the proposed route of the procession and, if it is intended that the procession should stop at places along that route for the purpose of enabling persons participating in the procession to be addressed or for any other purpose, a statement specifying those places,

(iv) the purpose for which the proposed public assembly is to be held,

(v) such other particulars as may be prescribed, and

(d) the notice specifies the number of persons who are expected to be participants in the proposed public assembly, and

(e) the notice:

(i) is signed by a person who indicates in the notice that he or she takes responsibility for organising and conducting the proposed public assembly, and

(ii) specifies the address of that person for the service on him or her of any notice for the purposes of this Part (which may include an address for the transmission of facsimiles or the sending of emails to the person), and

(f) the Commissioner has notified the organiser of the public assembly that the Commissioner does not oppose the holding of the public assembly or:

(i) if the notice was served on the Commissioner at least 7 days before the date specified in the notice as the date on which it is proposed to hold the public assembly—the holding of the public assembly is not prohibited by a Court under section 25 (1), or

(ii) if the notice was served on the Commissioner less than 7 days before that date—the holding of the public assembly is authorised by a Court under section 26.

(2) Without prejudice to any other method of serving a notice referred to in subsection (1) on the Commissioner, such a notice may be served by leaving it with any member of the Police Force or such other person as may be prescribed at the address prescribed as the address of the office of the Commissioner.

24 Participation in authorised public assembly

If an authorised public assembly is held substantially in accordance with the particulars furnished with respect to it under section 23 (1) (c) or, if those particulars are amended by agreement between the Commissioner and the organiser, in accordance with those particulars as amended and in accordance with any prescribed requirements, a person is not, by reason of anything done or omitted to be done by the person for the purpose only of participating in that public assembly, guilty of any offence relating to participating in an unlawful assembly or the obstruction of any person, vehicle or vessel in a public place.

25 Prohibition by a Court of a public assembly

(1) The Commissioner may apply to a Court for an order prohibiting the holding of a public assembly in respect of which a notice referred to in section 23 (1) has been served if the notice was served 7 days or more before the date specified in the notice as the date on which it is proposed to hold the public assembly.

(2) The Commissioner shall not apply for an order under subsection (1) relating to a public assembly in respect of which a notice referred to in section 23 (1) has been served unless:

(a) the Commissioner has caused to be served on the organiser of the public assembly a notice, in writing, inviting the organiser to confer with respect to the public assembly with a member of the Police Force specified in the notice at a time and place so specified, or to make written representations to the Commissioner, with respect to the public assembly, within a time so specified, and

(b) if the organiser has, in writing, informed the Commissioner that he or she wishes so to confer, the Commissioner has made available to confer with the organiser at the time and place specified in the notice:

(i) the member of the Police Force specified in the notice, or

(ii) if that member of the Police Force is for any reason unavailable so to confer, another member of the Police Force, and

(c) the Commissioner has taken into consideration any matters put by the organiser at the conference and in any representations made by the organiser.

(3) A notice referred to in subsection (2) (a) may be served on the organiser:

(a) personally, or

(b) by registered post, facsimile transmission or email addressed to the organiser at an address, specified in the notice served on the Commissioner under section 23 (1) (e) (ii), as an address for the service of any notice for the purposes of this Part, or

(c) by leaving it with any person apparently of or above the age of 16 years at a postal address so specified.

26 Authorisation by a Court of a public assembly

If:

(a) a notice referred to in section 23 (1) is served on the Commissioner less than 7 days before the date specified in the notice as the date on which it is proposed to hold the public assembly referred to in the notice, and

(b) the Commissioner has not notified the organiser of the public assembly that the Commissioner does not oppose the holding of the public assembly,

the organiser may apply to a Court for an order authorising the holding of the public assembly.

27 Applications under section 25 or 26

(1) The Court to which an application in respect of a public assembly is made under section 25 (1) or 26 shall decide the application with the greatest expedition possible so as to ensure that the application is not frustrated by reason of the decision of the Court being delayed until after the date on which the public assembly is proposed to be held.

(2) The decision of a Court on an application under section 25 (1) or 26 is final and is not subject to appeal.

(3) Not more than one application may be made under section 25 (1) or 26 in respect of the same public assembly.

Schedule 1 - Notice of Intention to Hold a Public Assembly

SUMMARY OFFENCES ACT 1988 - Sec 23

To the Commissioner of Police

1   I... *(name)*

of

on behalf of

         In Co-Operation with

notify the Commissioner of Police that

on the .... (day) of .... (month),....... (year), it is intended to hold

either:

(a)   a public assembly, **not** being a procession, of approximately

..........(number) persons,

which will assemble at... *(Place)*

at approximately .... am/pm,

and disperse at approximately .... am/pm.

or

(b)   a public assembly, being a procession of approximately

..........*(number)* persons,

which will assemble at…………………….., and at

approximately ……………. the procession will commence and shall proceed

from. ....

(Specify route, any stopping places and the approximate duration of any stop; and the approximate time of termination. A diagram may be attached.)

2   The purpose of the proposed assembly is...

....

....

....

....

....

3	The following special characteristics associated with the assembly would be useful for the Commissioner of Police to be aware of in regulating the flow of traffic or in regulating the assembly *(strike out whichever is not applicable)*:
	(I) There will be ………..vehicles and/or.........floats involved.
	The type and dimensions are as follows:
	....
	....
	....
	(ii) There will be …….. (number) of bands, musicians, entertainers, etc. which will entertain or address the assembly.
	(iii) The following number and type of animals will be involved in the assembly:
	....
	(iv) Other special characteristics of the proposed assembly are as follows:
	Flags, Unit, Association or Regional Standards/Banners.
	....
4	I take responsibility for organising and conducting the proposed assembly.
5	Notices for the purposes of the *Summary Offences Act 1988* may be served upon me at the following address:
	....
	.... …………... Postcode……..
	Telephone No.
6	Signed ....
	Capacity/Title………………………………………....
	Date ....

Templates

Statewide Mutual has prepared a series of template documents which include:

- Checklists

- Event Advice Form

- Participant Responsibilities and Obligations

- Event Site Plan

- Emergency Contact Lists

- Volunteer Information

- Sample Waivers

- Sample Disclaimers

- Amusement Device Approval Forms

- Participant/Stallholder Information Pack

- Sample Risk Assessment Tools

A copy of the Sample Tools & Templates Guide is available from the Statewide Mutual website.

Cross References

This document is to be used in conjunction with the following documents:

- Event Management – a Local Government Guide –Exercise Workbook

- Event Management – a Local Government Guide – Sample Tools and Templates