City of Albany

Publication

Risk Management Handbook

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0.1	RMIO	Version 1 – Initial Draft - Guideline	19/01/2018
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1.0	MGR	Version 3 – Fully revised by MGR, appended with the following content:
		• Synergy Ref: NIS1550929 - Prepare Project Support Plans And Documentation Information Sheet
		• Synergy Ref: NIS1659093_2 – Risk Warning & Waiver Template
		• Attachment 1: Risk Management Working Group Terms of Reference
		• Attachment 2: Prepare project support plans and documentation information (including Project Risk Examples)
		• Attachment 3: Event Risk Warnings and Waivers
		  o Example Risk Warning and Waiver of Contractual Duty of Care
		  o Example Risk Warning – Civil Liability Act 2002 (WA)
		  o Example Event Approval Letter Clause
		  o Example Financial Assistant Liability Waiver
		  o Example Event Sponsorship Agreements (Insurance & Indemnity)
		  o Example Lesson Enrolment and Risk Acknowledgment
			19/01/2019

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Purpose

This handbook is complimented by the City's Risk & Opportunity Management Framework and supporting policy positions and procedures.

The City actively promotes consultation and encourages regular and consistent two-way communication during each step of the resolution process.

This handbook details:
- The risk reporting process;
- Guidance on how to identify, mitigate, document and monitor risk.

Scope

All staff have the responsibility to promote a culture of Risk Management throughout the City by embedding Risk Management in all operational and strategic risk decisions by:
- Recording new risks,
- Monitoring known risks, and
- Documenting & Reviewing treatment plans

RISK MANAGEMENT GUIDELINE

Roles and Responsibilities

The City of Albany is committed to adopting a strategic, consistent and structured approach to risk management in order to achieve an appropriate balance between **realising opportunities** for gains and **mitigating losses**.

- **Council** is responsible for ensuring that Council strategy and operations are managed within an effective risk management framework.

- The **Audit & Risk Committee,** working with the Executive Management is responsible for reviewing the:

  o Risk & Opportunity Management Framework.

  o Risk exposure of the Council and recommending to Council the level of risk tolerance.

- **CEO and Staff**

  o The **Chief Executive Officer** and delegated officers are accountable for the implementation and maintenance of risk management policies and processes across the organisation. They are ultimately responsible for ensuring that strategic and operational risks are regularly reviewed.

  o **All staff**, including volunteers are responsible for applying risk management practices in their area of work and ensuring that all staff are aware of all types of risks associated with City of Albany operations and escalating where necessary.

- **Under delegation from the CEO:**

  o Each member of the Executive Management Team (**EMT**) is accountable for implementing the risk management practices in their area of responsibility. This includes ensuring that risks are identified, managed, reviewed and updated regularly.

  o **Managers**, **Team Leaders**, **staff** and **volunteers** are responsible for the implementation of risk management practices within their particular areas of responsibility. They are responsible for reviewing and updating their allocated risks.

- The **Manager Governance & Risk** (**MGR**) is responsible for overseeing the development, facilitation and implementation of a risk management culture, framework and strategy, including training and awareness across the organisation.
- An awareness of both operational risks and strategic risks help management teams at all levels to manage risk effectively.
- **Executive Directives** ultimately decide on:
  - who will be assigned responsibility to manage/reduce potential risks; and
  - the impact of those risks based on the risk profile of their respective teams.

Issue Resolution

- The City encourages all staff to take a team approach to identify, mitigate and manage risk.
- Staff are also encourage to also seek advice from the **Risk Management & Insurance Officer** and/or **OSH Advisor**.
- Should risks be unable to be mitigated or controlled, assistance should be sought through the chain of command to ensure appropriate monitoring protocols and/or PPE are implemented.

Reporting & Documentation:

- Risks should be actioned in an agreed and appropriate time-frame.
- Risks should be recorded and supported by a treatment action.

The **Risk Management & Insurance Officer** may be requested to participate in risk mitigation and/or resolution discussions. *(For example: Provide and/or facilitate assistance and advice on appropriate methods to mitigate, control or monitor risk).*

Monitoring, evaluation and review:

- **Internal Auditing.** An annual **internal auditing program** is to be established which will test the controls set in place by each directorate and be assessed against the key performance indictors set by the EMT.
- **External Auditing**. Any **external auditing** will be undertaken routinely, in accordance with the *Local Government (Financial Management) Regulations 1996*.
- **Risk Register.** A reminder tool and knowledge repository.
  - Accept Risk.
  - Accept Risk & Monitor.
  - Treat Risk.
  - Treat Risk & Monitor.
    * The decision to monitor is made one level up.

Training and continuous improvement:

- Effective and open communication and consultation with internal and external stakeholders during all stages of the risk management process is crucial, as each stakeholder will have a varying perception of risk and their decisions will be based on this.
- A consultation and communication process should be developed to engage all levels of the organisation to ensure stakeholders impacted by decisions have had sufficient chance to comment and provide feedback prior to implementation.

Consultation and Communication:
- Persons who perform functions or deliver services on behalf of the City Staff are:
  - required to attend risk & opportunity management induction;
  - required to attend regular refresher training; and
  - expected to participate and contribute to the outcomes of training.

Management of Risk

People Health & Safety Risks

Safety & Health Risk are reported on **Rapid Global**.

If during the review of the "Analyse Risk Process", by either the Executive and/or Appointed Responsible Officer, the source of the risk:
- has resulted in; or
- may expose persons to a health and safety consequence categorised/rated as Major or Severe, the risk and treatment should be reported to the Executive for review.

On review the Executive may determine to also capture and monitor on the Strategic Risk Register.

People Health & Safety Risk Categories:

- **Severe** = Death(s) or severe permanent injuries, mass hospitalisation, Post-traumatic Stress Disorder.
- **Major** = Extensive injuries requiring hospital admission, severe trauma, extended incapacity.
- **Moderate** = Onsite medical treatment by ambulance personnel longer term illness, recovery 1 to 6 months.
- **Minor** = First aid treatment required by first aid officer, sick leave, short term impact, recovery 1 to 3 weeks.
- **Insignificant** = No injuries or injuries but not requiring first aid treatment, no leave taken.

Risk Management Working Group:

The Risk Management Working Group Terms of Reference is detailed at **attachment 1**.
The working group harnesses expertise from across the City.
Managers and officers are encouraged to attend.

Project Risks

A project risk relates to one of the project baselines (technical, cost, or schedule) and should not be confused with health and safety risks. However, health and safety issues are considered to the extent that they impact the risk to the project baselines.

An information sheet is detailed at **attachment 2**, which may be used qualitatively/subjectively assess the project risk.

The approach is modelled using project risk assessment processes outlined in standard project management texts and training courses.

Event Risks

For events that are not sponsored by the City of Albany:

The **Risk Management & Insurance Officer** maybe requested to assist with the Risk Assessments.

The **Event Team** is required to communicate recommended changes / inclusion to the event organiser.

The event organiser is not required to make changes to his Risk Assessment, sign and resubmit.

The City has met its due diligence obligation by drawing attention to areas where risks may have been missed, where actions may not suitably address the risks identified or issues within the format exist.

As a minimum the approval letter is to include a line that says:

> *"Approval is granted subject to the following risks being identified and addressed, which are not currently present within your Risk Assessment:"*

The letter will also list the recommended changes and inclusions.

If the original Risk Assessment does not come close to meeting our standards, the City has the right to ask for a new, updated risk assessment.

For events that are sponsored by the City of Albany:

The **Risk Management & Insurance Officer** is required to review the Risk Assessments.

Following the review, **Risk Management & Insurance Officer** may request a number of changes or inclusions to be made (noting: some Risk Assessments do not require changes).

The **Event Team** and/or **Risk Management & Insurance Officer** is to provide these changes/inclusions to the event organiser, who makes the changes/inclusions and returns a updated signed copy of the Risk Assessment to us, which we once again review.

If the risk assessment satisfies our standards, we mark it as No Further Action (NFA).

This process often requires several instances of review, however as the City has financial and reputational exposure, additional scrutiny is required.

Post review the Risk Management & Insurance Officer may request a number of changes or inclusions to be made.

Indemnity & Waivers

Many Australian States have either passed or proposed legislation modifying the laws about liability for negligence in respect of a duty to warn about '**obvious risks'** in relation to any '**dangerous recreational activities**'.

Because negligence often results in personal injury or damage to property rather than mere economic loss, the intention to exclude liability for negligence must be clearly expressed.

An exclusion clause, warning or disclaimer will not be found to expressly exclude negligence unless it uses that word or a synonym.

Risk waiver and warnings are detailed at **attachment 3**:

Risk Warnings in general

The provisions in Western Australia restricting organiser's liability can be found in the sections 5H to 5J and 5M to 5P of the Civil Liability Act 2002 (WA).

There is no duty to warn of obvious risk and no liability for materialisation of an inherent risk.

There is no liability for harm from obvious risks of dangerous recreational activities as the person is presumed to have been aware of the risk of harm.

There is no liability where a risk warning has been given.

The organiser of recreational activities can also exclude, restrict or modify his or her liability for any personnel injury in an agreement.

The agreement must be acknowledged and signed by the participant.

Events on Private Land that charge a fee without necessary approvals

The City cannot promote events where a fee is charged for entry or entertainment on private property without the necessary approvals.

An Event Application is required for all events held in the City of Albany, including those on City-managed reserves and on private land where a fee is charge for entry or entertainment.

An Event Application is not required for private parties on residential or rural properties, wedding ceremonies, funerals or the like.

Please note that the Police are empowered to close public events that have not been approved by the City and do not comply with the conditions of permits and approvals issued by the City of Albany.

Legislative and Strategic Context

Relevant legislation, directives, guidelines, Acts or Regulations that provide the broad framework within which this handbook operates, follow:

- AS/NZS ISO 31000:2009 Risk Management – Principles and Guidelines
  - HB 254-2005 Governance, Risk Management and Control Assurance
- AS/NZS ISO 9001:2000 Quality Management Systems
- AS/NZS 4801:2001 Occupational Health and Safety Management Systems
  - HB 205-2004 OHS Risk Management Handbook

Review Position and Date

This guideline is to be reviewed by the document owner and risk working group annually.

Associated Documents

Related policies, procedures, references, or other documents that have a bearing on this guideline and that may be useful reference material for users of this handbook:

- Risk & Opportunity Management Framework
- Risk & Opportunity Management Policy and Guidelines
- Risk Register (Synergy Module)
- Equal Employment Opportunity & Discrimination Policy
- Occupational Safety & Health Manual
- Recreational Generic Risk Assessments (Off Site Activities)

Definitions

Key terms and acronyms used in the handbook, and their definitions:

- **Risk Reporting Categories:** Reporting of risks in the City of Albany will come under two main organisational functions.
  - **Strategic:** Risks that effect the achievement of the Organisation vision and objectives in the Strategic Plan.
  - **Operational:** Risk of loss resulting from inadequate or failed internal processes, people and systems, or from external events.

- **Difference between strategic risk and operational risk**
  - **Strategic risk:** Strategic risks are determined by the Executive and reviewed by Council where decisions concern the objectives and direction of the City and are flagged as a High or Extreme Risk. Examples include but not limited to reputational, service delivery (not meeting community expectations) , and financial (major projects overruns above 10%, income loss, investment loss) .

    Council with the support/guidance of the Executive may be required to carry out additional analysis to reduce Extreme or High strategic risks presented for review.
  - **Operational risk:** Operational risks emanate from day-to-day service delivery. Sources of operational risks include but are not limited to internal resourcing, systems and procedures. Losing data, break-down of machineries, and staff turnover are some of the examples of operational risks.

Attachment 1: Risk Management Working Group Terms of Reference

Risk Management Working Group Membership

To ensure the working group captures the required expertise from within the City's resources, employees employed in a risk and governance function will facilitate the Working Group, and a minimum of one representative for each risk category as detailed in the Risk Management Framework. Managers and officers are encouraged to attend as invited guests.

The **proposed selection** is made to ensure a diverse working group:

- **Business Interruption:** Community Emergency Services Manager / Administration Coordinator - Ranger & Emergency Services
- **Community:** Manager Recreation Services / Manager Facilities
- **Environment:** Manager Building, Health and Compliance / Health Coordinator
- **Financial:** Manager Finance / Business Analyst/Management Accountant
- **Legal & Compliance:** Manager Engineering / Manager Planning and Land Services
- **Organisation's Operations:** Manager City Reserves / Manager City Operations
- **People Health & Safety:** OSH Advisor / Manager Human Resources
- **Property:** Team Leader - Asset Management / Team Leader - Civil Infrastructure
- **Reputation:** Communications & Events Manager / Manager Community Engagement
- **Project:** Manager Economic Development & Tourism / Major Projects Officer
- **Events:** Team Leader Events, Environmental Health and Risk Teams

Meeting Schedule

Risk Management Working Group to meet quarterly or more often if required.

Action Plan

- Review and propose treatment options on outstanding risks
- Critique proposed high risk treatment plans
- Monitor and report to the Executive
- Facilitate training of the Synergy Risk Management Module

Attachment 2: Prepare project support plans and documentation information (including Project Risk Examples)

Project Risk

This information sheet outlines a methodology which may be used to qualitatively/subjectively assess the project risk. The approach is modelled using project risk assessment processes outlined in standard project management texts and training courses.

Project risk means risk to one of the project baselines (technical, cost, or schedule) and should not be confused with health and safety risks. However, health and safety issues are considered to the extent that they impact the risk to the project baselines.

Project Risk Assessment Tools

The two primary tools that will be used to conduct the risk assessment are listed below.

- The Risk Assessment Data Sheet shown in **Table 1 - The Risk Assessment Data Sheet** is the tool that is used to document the results of the risk assessment session. The data sheet is designed to be used in conjunction with the Risk Assessment Matrix to obtain a structured, consistent, and rigorous assessment of risk.
- The Risk Assessment Matrix given in **Table 2 - The Risk Assessment Matrix** consists of two elements: risk factors and risk ranking guidelines. The risk factors represent the topics that are considered to have the most influence on project risk. The risk ranking guidelines are qualitative statements assigned to low, medium, and high-risk categories. The risk ranking guidelines, are used to determine the risk impact of each of the risk factors to the project baseline.

The two tools discussed above can be used to manage the project risks by identifying the risks, assessing the risks, and reducing the risks through mitigation and contingency planning.

Project Risk Assessment Process

The risk assessment tools (Risk Assessment Matrix and Risk Assessment Data Sheet) may be applied at the project level, the sub-project level, or the task level, as appropriate. Risk assessments will typically be performed by an assessment team comprised of project managers, technical staff, operating/field staff, customers and selected stakeholders as appropriate based upon the project element and its position in the baseline hierarchy (i.e., project level, sub-project level, or task/activity level).

A team leader will be assigned or selected to schedule, lead, and document the results of the risk assessment session.

The results of all project risk assessments will be maintained in an appendix to the Project Management Plan.

An initial assessment will be performed at the project level with follow-on assessments performed at other levels of the project baseline hierarchy, based on the results of the initial assessment.

Assessments will then be performed throughout the life of the project. Typically, risk assessments will be performed to support the change request process, when baseline adjustments are necessary, or to support the decision process for selection and implementation of technical alternatives.

Summary of Significant Project Risks

A formal assessment of project risk has not been completed at this point in the project. This section will be developed as more comprehensive project planning is completed using the Risk Assessment Framework.

RISK ASSESSMENT DATA SHEET *(Risk Assessment Area - (Cost, Schedule, Scope, etc.))*			
RISK FACTOR	**RISK RANKING**	**RISK CONTRIBUTORS**	**MITIGATION & CONTINGENCIES**
Technology			
Interfaces			
Safety			
Political Visibility and Stakeholder Involvement			
Funding			
Time/Schedule			
Site Characteristics			
Labour			
Quality Requirements			
Number of Key Participants			
Contractor Capabilities			
Regulatory Involvement			
Magnitude and Complexity of Contamination			
Table 1 - Risk Assessment Data Sheet			

Risk Factor	Risk Assessment Matrix *(Qualitative Risk Ranking Guidelines)*		
	Low	**Medium**	**High**
TECHNOLOGY	- Conventional/off-the-shelf - Extensive previous facility application - Little or no testing required	- Proven state of the art - Some previous facility or site application - Some proof of application testing required	- Unproven/new - Little or no previous facility or site application - Extensive proof of principle testing required - Complex/highly engineered
INTERFACES	- Little or no impact from other site programs operations or contractors - Established and mature interfaces and working relationships used	- Potential impact from other site operations, programs or contractors - Some new interfaces must be established and managed	- Potential MAJOR impact from other site operations, or contractors - Multiple and/or complex interfaces required which may include competing objectives
SAFETY	- Small project (fewer than 50 FTEs) - Little or no construction - Contractor experienced on same type of project - Worker health and safety " integrated " with job planning. Integrated approach is fully implemented and mature - Facility/contractor has exemplary safety record	- Moderate sized projects (50-150 FTEs) - Most elements of an " integrated " worker health and safety approach exist but may not be fully mature - Contractor/facility has excellent safety record - Existing hazards are well understood	- Large projects (more than 150 FTEs) - Multiple hazards - some of which are not well understood or there is a lack of experience in dealing with - Significant construction required - Contractor/facility does not have strong safety record or a mature safety program - " integrated " worker health and safety approach not implemented
POLITICAL VISIBILITY AND STAKEHOLDER INVOLVEMENT	- Little or no stakeholder interest	- Some information sharing and communication outreach required - Stakeholders neutral but interested in progress updates	- Potentially sensitive to stakeholders - Independent oversight or significant outreach/input required - Involvement/coordination with multiple regulatory agencies
FUNDING	- Less than one year duration - Detailed and validated estimate exists	- Two to three year duration - Detailed estimate but not yet validated	- Three or more years duration - Conceptual level estimate
TIME/SCHEDULE	- No known schedule constraints - Predecessor and successor actions are simple and clearly identified and understood. - Demonstrated ability to perform activities - No assumptions with regard to performance - Resources identified,	- Some schedule constraints exist by won't affect completion date - Assumptions have been validated - Some resources required outside of facility but high confidence in availability based on past performance	- Multiple schedule constraints/compressed schedule - Activities developed only to conceptual level (multiple invalidated assumptions) - Resources uncommitted or not identified

Risk Factor	Risk Assessment Matrix *(Qualitative Risk Ranking Guidelines)*		
	Low	**Medium**	**High**
	committed and under facility control		
SITE CHARACTERISTICS	- 1 site or facility - DOE property - Accessible - No required infrastructure	- 2-3 sites or facilities - Government property - Accessible - Minor infrastructure	- 4 or more sites or facilities - Private property - Restricted Access - Major Infrastructure
LABOUR	- Low to moderate skill - Readily available - Gradual build-up	- Moderate/high skill - Restricted availability - Phased build-up - Moderate productivity required	- Moderate/high skill - Severely restricted availability - Rapid build-up - High Productivity required
QUALITY REQUIREMENTS	- Large tolerances - Low QC requirements	- Average QC requirements	- High QC requirements
NUMBER OF KEY PARTICIPANTS *(Internal and external)*	- 1	- 2-3	- 3 or more
CONTRACTOR CAPABILITIES	- Proven track record and resources immediately available	- Limited experience or resource availability	- Newly acquired capabilities or resources committed to other projects
REGULATORY INVOLVEMENT	- Minimal permit requirements (- No compliance issues	- Routine permit requirements with multiple agencies - Compliance issues have precedent or defined path forward. Little negotiation required	- Complex permit requirements with multiple agencies or branches of government - Precedent setting compliance paths requires. Significant negotiation
MAGNITUDE AND COMPLEXITY OF CONTAMINATION	- No potential for chronic or acute exposure to chemical or radiological hazards - High confidence in the characterization of industrial, chemical and radiological hazards - Exemplary ALARA (As Low As Reasonably Achievable/HAZCOM (Hazard Communication)/ and Industrial safety program performance record	- Potential for chronic or acute exposure to well defined chemical or radiological hazards - Excellent ALARA/HAZCOM and Industrial safety program performance record	- Potential for overexposure to chemical or radiological hazards - Industrial, chemical and radiological hazards not well characterized/defined - Less than excellent ALARA/HAZCOM and Industrial Safety program performance record
Table 2 - Risk Assessment Matrix			

Example Project Risks

The project risk is defined here as those conditions that will adversely impact the schedule and cost baseline of the Phase Out/Deactivation of the Project. The conditions include organizational functional and resource dependencies.

The inter- and intra- dependencies of greatest impact are described below:

Example Interdependencies *(Demolition and Removal of Current Centennial Park Infrastructure)*

Appendix A, describes the initial projected schedule which will occur in phases. Changes and/or delays to this schedule will significantly alter the schedule and cost baseline for upgrade. Alternative demolition paths are be identified and investigated to minimize this task.

- **Subprojects - Cost Relations:**
  Appendix C, Integrated Funding Needs, includes subproject activities that are necessary for the demolition and removal of material from the Centennial Park. As funding priorities change at the site level, this subproject dependency and integration will need to be maintained and evaluated as a package for schedule and cost.

- **Sourcing of Additional Demolition Work Force:**
  It is anticipated that at a minimum, an additional operating staff composed of a supervisor and two demolition crews, will be needed to accomplish the demolition work. If trained and qualified staff cannot be found, then additional trained crews will need to be sourced.

- **Availability: of Material Storage Space, Site-wide**
  It is anticipated that surplus inventories will be stored on site. Materials which require interim or long-term storage will be stored in a manner that ensures access priority. Security Services will be required to guard against theft.

Example Interdependencies *(Project Knowledge and Experience)*

The current City of Albany Major Project Team has many years of knowledge and experience regarding Centennial Park Upgrade. Current contracts need to be maintained till project completion.

Project Issue Resolution and Decision Making

This section provides guidelines for the resolution of significant technical and program issues encountered during the project involving risk assessments.

A systematic issue resolution and decision making process provides an approach to resolving project issues that is visible to internal and external stakeholders and enhances the confidence that decisions will be upheld.

Issue resolution and decision making will occur at all levels of the project organization, at all times, and with varying impact to the project. Many technical issues are resolved at the work planning level and usually have low impact to the project direction. Other major technical or program issues require resolution at a higher organizational level (project management and above) because of their potential for significant project impact. The issue resolution and decision-making process outlined in subsequent sections is intended to address the project decisions that significantly affect the project.

Example Project Issue Resolution Process

The issue resolution and decision-making process is summarized in *Table 2 – Risk Assessment Matrix*. The process begins when an issue is raised for resolution within a subproject. The project manager or designated staff identifies a set of alternative solutions. If several likely alternatives exist, the alternatives are systematically evaluated against a set of discriminating criteria (*Section 5.2*) used to identify a preferred alternative.

This evaluation is documented in an appropriate format before the results are presented to the City of Albany designated "Approver", i.e. **Executive Management Team**.

If applicable (major project impact to scope, schedule, or estimate), the approver will review the results of the evaluation and either confirm or reject the recommended course of action.

If the recommendation is rejected, additional analysis will be performed with the results presented back to the Approver. If the recommendation is accepted, the Approver must determine if the recommendation requires confirmation by the City of Albany **Executive Management Team (EMT)**.

If confirmation by EMT is not required, the recommendation is finalized, documented, communicated and implemented.

Project Risk Assessment Decision Criteria

The following nine performance measures have been identified that can be used to evaluate alternatives in support of the issue resolution and decision-making process:

- Safety
- Cost
- Schedule
- Operability
- Maintainability
- Environmental
- Technical maturity
- Complexity of interfaces
- Risk

The project values need to be considered while evaluating alternatives, but do not necessarily directly relate to technical evaluation of the alternatives. The recommended alternative should support the various values.

The performance measures represent a mixture of quantitative and qualitative factors. Some of the performance measures, such as cost, directly represent measurable variables that qualitative factors influence because some assumptions are used to develop the costs. Other performance measures, such as operability, depend much more on the experience and values of evaluators.

Although some decision makers tend to focus on tangible and immediately visible performance measures, such as cost and schedule, some of the less tangible performance measures such as operability and safety, can carry heavy hidden cost penalties. These hidden costs should be identified by means of sensitivity analyses. The performance measures are as follows:

- **Schedule.** Implementing schedules and associated schedule risk will be assessed relative to implementation of a given alternative. Other internal or external (regulatory, stakeholder) schedule requirements will be considered.
- **Cost.** The equipment, system or component will be evaluated with respect to capital, operating (including waste handling, analytical and preparatory paperwork), and life-cycle costs.
- **Operability**. This criterion is used for processes, systems and equipment to be used during long-term upgrades, service and maintenance (i.e., retiling pool deck).

- **Maintainability.** This criterion is used for processes, systems and equipment to be used during long-term upgrades, services and maintenance (i.e., emergency lighting). Evaluating the complexity, reliability, and repair-ability can determine the maintainability of a system of the associated equipment and components.
- **Safety.** Alternatives should be compared on the bases of associated hazards and implications for onsite and offsite safety, worker safety, and property protection.
- **Environmental**. The environmental (regulatory) impacts of a system can be assessed by evaluating the following factors: liquid effluent generation, gaseous effluent generation, secondary dangerous waste generation, and permitting requirements.
- **Technical Maturity**. Factors that influence technical maturity or technology assurance include maximizing adaptability for new technologies or mission change, design flexibility or adaptability for incorporating improved technology, and avoiding regulatory uncertainty.
- **Complexity of Interfaces**. The complexity of building and functional interfaces is assessed by evaluating compatibility with existing systems and complexity introduced by needed changes, requirements for support functions and facilities, and the number and diversity of organizations that must be involved in implementation.
- **Risk.** The risk associated with a particular alternative can be examined by its sensitivity to cost and schedule changes and the capability of the alternative to uphold project values.

Attachment 3: Event Risk Warnings and Waivers

Example Risk Warning and Waiver of Contractual Duty of Care

Risk Warning &
Waiver of Contractual Duty of Care
Civil Liability Act 2002 (WA)

Event/Activity Name:

Date/Times:

Today I agree participate at my own risk.

I know that my agreement operates to exclude any liability in negligence for harm that I may suffer.

I have been warned that this recreational activity may cause physical harm to me or to someone under my control or accompanying me, and I confirm that I have no condition, medical or physical, that could prevent me from, or be aggravated by, participating in this activity.

Examples of the risks I have been warned about include:

Tripping, slipping and falling; Collision with someone or something; Something giving way unexpectedly; Back Injury, strains Spillage and Burns Trip hazard Car Accident	Bites & stings Sharp Tools & Equipment Sun Poisoned by chemicals – Roundup Injury from falling branches Strained back

Participant's Name	Signature	Date
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

Another way that a waiver can be used is in a letter to the participants when you are inviting them to participate in your event.

The letter may contain other relevant information that they need to be aware of, such as details of the event, insurance and other requirements, and at the same time requires confirmation of their participation by signing the letter or attached form that contains, among the other information, the following wording:

Example Risk Warning – Civil Liability Act 2002 (WA)

I/we agree to participate in this event at my/our own risk and to indemnify and keep indemnified the City of Albany against all claims, suits, actions or demands which may be brought in respect of any injury or other loss sustained by me/us or anyone participating in the (name of the event) and agree to exonerate the City of Albany from all responsibility and from all loss or injury to any person due to alleged liability or otherwise.

Signed: _____ | Name: _____

Date: _____ | Organisation: _____

(If under the age of 18 years parent/guardian signature is required)

Example Event Approval Letter Clause

AS/NZS ISO 31000: 2009 Risk Management Principles & Guidelines

The submitted Risk Management Plan meets the City's Risk Management requirements, noting that risk and mitigation strategies have been given due consideration for this event.

The provisions in Western Australia restricting organiser's liability can be found in the sections 5H to 5J and 5M to 5P of the Civil Liability Act 2002 (WA).

The Event Organiser acknowledges that the City of Albany assumes no liability, for approving this event, for harm from obvious risks of recreational activities as the person (participant) is presumed to be aware of the risk of harm.

The submitted risk management plan for this event has been submitted to the City's insurer, for a final review.

Any additional feedback and/or recommendations will be forwarded to the Event Organiser for consideration.

The Event Organiser is responsible for persons assigned the duty to monitor, control and mitigate all risks, identified or not.

It is recommended that the Event Organiser:
- re-assess the risk management plan prior to, during and post the event; and
- consider that a Risk Warning to participants is given and acknowledged.

Example Financial Assistant Liability Waiver

Source: www.finance.wa.gov.au

LIMITATION OF LIABILITY

The Grantor does not accept any responsibility or liability for the success or otherwise of the Approved Purpose and is not liable for any losses which may be suffered by the Organisation in undertaking the Approved Purpose.

Example Event Sponsorship Agreements (Insurance & Indemnity)

INSURANCES

(a) The Event Holder must effect and maintain insurances for:
  (i) General liability cover of $20,000,000 for any one occurrence and unlimited in the aggregate.
  (ii) Workers compensation/employers indemnity insurance in accordance with the provisions of the Workers Compensation and Injury Management Act 1981 (WA), including cover for common law liability for an amount not less than $50,000,000 for any one event in respect of workers of the Event Holder.
  (iii) Personal accident insurance for persons engaged by the Event Holder on a voluntary basis.

(b) These insurances must be with an:
  (i) Australian Prudential Regulatory Authority approved insurer; or
  (ii) overseas insurer with a Standard and Poor's, or any other internationally recognised financial rating Agency, credit rating of at least A minus (A-); or
  (iii) insurance arrangement established in accordance with Commonwealth or State law.

(c) Unless otherwise agreed in writing, the policies referred to in the preceding provisions of this clause ("insurance policies") must be in place at the execution of this Agreement by the parties and remain current until 30 days after the end of the Event.

(d) The Event Holder must, upon execution of this Agreement by the parties, provide or have provided to Tourism Western Australia certificates of currency for the insurance policies or a declaration in a form satisfactory to Tourism Western Australia from the Event Holder's insurer confirming that the insurance requirements under this Agreement have been met.

(e) The Event Holder must ensure that all of its subcontractors, commercial licensees, agents, suppliers, stall holders and exhibitors involved in the Event are adequately insured given the nature of services or work to be performed by them or their involvement in the Event generally.

INDEMNITY

Each Party ('1st Party') indemnifies the other Party ('2nd Party') and its officers, members, employees, agents and contractors against all costs, losses, expenses, claims, damages and other liabilities (including, without limitation, legal costs and expenses (on a full indemnity basis)) suffered or incurred by the 2nd Party as a result of any action, suit, claim, demand or proceeding arising from or in connection with any:
  (i) breach of contract by the 1st Party;
  (ii) actionable or tortious act or omission of the 1st Party or its officers, members, employees, agents or contractors; or
  (iii) breach of a State or Commonwealth law relevant to the Agreement by the 1st Party or its officers, members, employees, agents or contractors.

A Party's liability under this indemnity will be reduced proportionally to the extent caused or contributed to by the 2nd Party or its officers, members, employees, agents or contractors.

Both Parties agree to use their reasonable endeavours to cooperate with each other, at their own cost, in respect of the conduct of any defence, or the agreement of any settlement, of any third party action, suit, claim, demand or proceeding the subject of this indemnity.

Example Lesson Enrolment and Risk Acknowledgment

LESSON ENROLMENT AND RISK ACKNOWLEDGEMENT

Through the transaction of payment I agree to my and/or my child's participation in the Program.

In the case of an emergency, I authorise staff, where it is impractical to communicate with me, to arrange for my child to receive such medical or first aid treatment as may be deemed necessary.

I acknowledge that the City of Albany:
- May request reimbursement of costs, which may be incurred for medical attention or ambulance transport while my child is enrolled in the Program.
- Although the City of Albany and its service providers attempt to minimize any risk of injury within practical boundaries, accidents do happen and all physical activities carry the risk of personal injury.
- The City of Albany will not be responsible for any injury suffered by either participant or non-participant members of the group while using facilities:
    o whether the injury be self-inflicted,
    o caused by another member of the group, or
    o caused by another person not associated with the group.
- The City of Albany will not be liable in any way for any loss of, or damage to the property of members of the group, whether members or non-members of the group cause the loss or damage.

The above does not apply to the extent that any injury, loss or damage is caused or contributed to by the wilful negligent or other unlawful act of the City of Albany.

The electronic transaction record number or cash receipt number associated with this transaction will be retained as evidence that you have acknowledged these terms and conditions.