



Lake Macquarie Bushwalkers Inc.

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LAKE MACQUARIE BUSHWALKERS INC. RISK MANAGEMENT POLICY

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INTRODUCTION

This Policy is designed to establish standards and practices that will minimise members' risk of personal injury and loss and or damage to property.

In the Lake Macquarie Bushwalkers Inc. Club there is a high level of expectation that participants will take responsibility for their own welfare and safety, in a manner consistent with their knowledge, experience and skill.

Furthermore, all participants need to exercise a duty of care to all other participants.

Duty of care is your legal duty to take reasonable care so that others are not harmed. Duty of care requirements, relevant to New South Wales, are set out in the Civil Liability Act 2002 (NSW).

The NSW Act describes duty of care as, "a legal duty to take precautions against risk of harm to others". The Act also sets some limits on duty of care obligations. The risks need to be foreseeable and significant, and precautions need only be those that a reasonable person in the person's position would have taken. In any claim, the onus of proof is on the claimant.

The Act exempts volunteers from personal liability for harm or omissions, provided the volunteer did not act dishonestly, recklessly or in a defamatory manner, was not drunk or using drugs, and acted within the organisation's scope and instructions. The liability for any harm or omissions thus normally falls on to the Club, rather than on the leader or committee member or other volunteer.

The NSW Act provides clubs with a range of defensive arguments against a liability claim. One of these defensive arguments is that the Club warned the claimant of the risks involved in the Club's activities – hence the importance of requiring participants to sign a statement that acknowledges risks.

Note though that claims relating to failure of duty of care are generally made in the jurisdiction where the claimed harm has occurred. Other states and territories may have different interpretations of some aspects of duty of care.

THE ROLE AND SCOPE OF RESPONSIBILITIES OF THE BUSHWALKING NSW INC. AND MEMBER CLUBS

Lake Macquarie Bushwalkers Inc. is a member of Bushwalking NSW Inc. and the Club's policy is based upon a Risk Management Framework for Bushwalking NSW Inc 2016, summarised in the Table below.

Body	Area of risk to manage	Responsibilities
Bushwalking NSW Inc.	Strategic approach to risk management	Set documented standards and guidelines for risk management Set up standard reporting systems and collate information provided by member clubs when required Maintain the standards and guidelines for risk management and update when necessary Provide guidelines for the training of member club leaders Determine minimum leader and walker guidelines
Member Clubs	Manage risks for club activities including practical application of Bushwalking NSW Inc. guidelines & processes	Comply with Bushwalking NSW Inc. risk management and reporting requirements Use documented procedures and standard forms Provide encouragement and assistance to leaders when necessary Provide input to Bushwalking NSW Inc. on suggested improvements to risk management practices
Leaders	Manage risks on individual activities	Assess risk relating to the activity Comply with club and Bushwalking NSW Inc requirements
Participants	Assist leader to manage risks on individual activities	Assist leader to assess risk relating to the activity Assist leader to comply with club and Bushwalking NSW Inc. requirements. Be responsible for your own safety

SECTION A - CLUB RESPONSIBILITIES

1 Roles and responsibilities for clubs

a) Club office bearers

- Promote to members the importance of managing risk and of developing a culture of safety within the Club.
- Implement a Risk Management Policy taking into account the recommendations in this document and make all members aware of the policy.
- Minimise risks by using documented procedures and standard forms.
- Remind participants of their responsibility for their own safety and their duty of care to others.
- Provide encouragement and assistance to leaders in minimising risks.
- Consider documenting specific aspects of participants' responsibilities.
- Consider assigning specific responsibilities to members covering, for example, Member Induction, Leader Training and Incident Review.
- Schedule a meeting, after club office-bearers change, to hand over risk management to incoming officers.
- Schedule a regular meeting, at least annually, to review the club's risk management procedures and forms, and refresh all office-bearers' awareness of risk management policies.

b) Incident response and review

- Bushwalking NSW defines an incident as "a serious injury (that is, an injury requiring medical attention), death, damage to third party property or loss of possessions".
- Incidents are to be documented by the Walks Leader on the club's Incident Report form.
- Leaders should contact the walker involved in the incident on the following day to check on their wellbeing to determine if there has been a change in their health and ascertain the outcome of any medical intervention.
- Leaders should ensure that all Incident Reports and related documents such as witness statements are appropriately completed and provided to the Walks Coordinator within 48 hours of the incident.
- The Walks Coordinator must notify the President as soon as they become aware that a walker may be entitled to make a claim against the Club's personal accident policy.
- If further information is required from the walker (for instance, if the incident was not resolved before the leader forwarded the Incident Report), the Walks Coordinator or another committee member should obtain this from the walker.
- The Walks Coordinator will organise a review of the Incident Report and related documents by at least 2 committee members who will assess whether action is required to eliminate the

possibility of similar incidents occurring in the future. Their findings will be presented to the full committee for ratification or further discussion.

- The secretary will inform members and/or Walks Leaders of any actions that come out of the incident review.
- The Incident Report Form and related documentation will be retained by the Walks Coordinator for 1 year. The Walks Coordinator will organise for the club Secretary to scan these documents and store them electronically.
- For minor accidents on walks, the leader should document this on the back of the walk sign on sheet. This information will be retained with the sign on sheet.

2 Prepare Walks Programs and distribute to all members

- a) The Walks Program covers club activities for up to 3 consecutive months.
- b) The Walks Program is prepared by the Walks Coordinator with cooperation and input from Walks Leaders.
- c) The Walks Program includes:
 - A basic description of the walk.
 - Distance to be walked (the distance may vary on the day due to unforeseen detours).
 - The name and telephone number of the Leader.
 - A grading based upon the following guidelines:

GRADE 1 (Very Easy) Short walk with flat even surface, no steps or steep sections. Walk should not exceed 5km.

GRADE 2 (Easy) Opportunity for large number of walkers, including those with reduced walking ability to walk on well-marked and even tracks. Tracks are man-made and may have a few steps, should not be too steep, and are suitable for beginners. The distance should not exceed about 10km.

GRADE 2/3 (Easy/medium) Easy walk, mostly on tracks of low gradient. Opportunity to walk easily in natural environments on well-marked tracks. Tracks should not be steep and distance should not exceed about 15km.

GRADE 3 (Medium) Medium walk with some hilly sections and/or rougher terrain. Opportunity to walk on defined and distinct tracks with some steep sections requiring a moderate level of fitness. Suitable for fit beginners and distance should not exceed about 20km.

GRADE 4 (Medium/hard) Steeper, rougher terrain and may have off-track sections (no more than one quarter of the walk) or a longer distance track walk. Opportunity to explore and discover relatively undisturbed natural environments mostly along defined and distinct tracks. Tracks can be steep and there may be short sections of rock scrambling involved. Leaders should have map reading abilities and/or ability to use a compass. Distance depending on circumstances. Not suitable for most beginners.

GRADE 5 (Hard) Off track or difficult terrain. Opportunity for walkers with advanced outdoor knowledge and skills to find their own way along often indistinct tracks or off track in remote locations. May include steep sections of unmodified surfaces and there may be rock scrambling, creek walking & crossing involved. Distance covered is unlimited but may be short & difficult. Only for experienced walkers and not suitable for beginners.

ASK THE LEADER FOR ADVICE REGARDING THE GRADE, EXPERIENCE AND FITNESS REQUIRED.

3 Communicate to all members

- a) For safety reasons programmed walks require a minimum of 3 walkers. Prewalks require a minimum of 2 walkers.
- b) Temporary members are covered by the Club's Public Liability Insurance through Bushwalking NSW Inc. Temporary members can participate in up to 3 activities prior to joining the Club. Temporary members' walks will be grade 3 or below, unless approved by walks leader after the Walks Leader has assessed the capability of the temporary member.
- c) Prospective participants of a walk must contact the Leader for the scheduled walk 1-2 days before the walk. This enables the Leader to assess the capabilities of each walker for the intended walk and provide advice to new participants regarding the necessity of carrying at least 1-2 litres of water (and more in extreme heat situations), food and appropriate footwear and clothing.
- d) The Leader of a walk must fill in the Sign on Sheet for the scheduled walk with:
 - The date.
 - Walk description.
 - Any additional hazards not mentioned in the Risk Waiver statement in the top part of the document.
 - The Leader ensures that each walker (including Temporary Members) fills in all details required on the Sign on Sheet to accept the Risk Waiver.
 - The Leader ensures that in addition to the Sign on Sheet, Temporary Members participating in the walk fill out and sign an additional Risk Waiver form.
 - Leaders need to carry the completed sign on sheet with them in their backpack as this form has the emergency numbers for all participants.

4 Distribution of documents

- a) TO MEMBERS - the following documents will be emailed to all members when annual membership is due, or when a new member has joined.
 - LMBW Constitution
 - LMBW Risk Management policy.
 - Member Emergency Contact and Medical Information form.
 - Website link to details of the Club's insurance policy.
 - For renewing members, Membership Renewal and Risk Waiver Acknowledgement, to be returned.

b) TO WALK LEADERS – will be emailed the same as members' documents above, PLUS:

- Latest member phone contact list.
- Permission to Enter Private Property form.
- Membership Application and Risk Waiver Acknowledgement.
- Temporary Members' Sign on Sheet.
- Members' Sign on Sheet.
- Incident Report Form.

5 Insurance

Lake Macquarie Bushwalkers Inc. has Personal Accident, Association Liability and Public Liability Insurance sourced through Bushwalking NSW Inc.

Details of the policy number, indemnity limits, coverage and excess limits can be found on the Bushwalking Australia web site, under the Insurance and Risk tab

<https://www.bushwalkingaustralia.org/>

Claimants for insurance benefits from the club's insurance policy sourced through Bushwalking NSW Inc. should note that any excess for this policy is the responsibility of the claimant for each and every claim. Lake Macquarie Bushwalkers Inc. is not responsible for excess payments under any circumstances.

SECTION B - CLUB AND TEMPORARY MEMBERS' WALKER GUIDELINES

1 Prior to the Walk

- a) The walker must contact the leader 1-2 days before the walk to confirm and check the walk details, weather conditions, start time etc. The Leader has the right to decide an upper limit regarding the number of participants for a walk, taking into account factors such as terrain, safety and organisational difficulties.
- b) Ensure that you are fit enough for the degree of difficulty of the walk. If in doubt discuss with the leader prior to the walk. The leader has the right to refuse participation to any persons they consider may present a risk to themselves or other participants or who do not have the necessary skills for the activity. Walks by temporary members will be grade 3 or below, unless approved by Walks Leader after they have assessed the capability of the temporary member.
- c) Arrive at the starting point at least 10 minutes before the starting time provided by the Leader.
- d) Carry sufficient water for the conditions of the walk. Generally, a minimum of 1-2 litres is adequate, but more is required in hotter conditions.
- e) Ensure you are suitably equipped with a first aid kit and completed Member Emergency Contact and Medical Information Form, sunscreen, hat, food, rain gear, whistle, torch and appropriate clothing and footwear. A map and compass or tracking app may also enhance your enjoyment of the walk.
- f) Ensure you complete the Sign on Sheet after reading the Risk Waiver and noting any risk warnings.
- g) Although it is not compulsory, all members are encouraged to obtain and keep up to date, training in CPR (cardiopulmonary resuscitation).
- h) Remember to bring a sense of humour and adventure. Our Leaders are all volunteers so please remember to be patient and kind.
- i) A walker must accept that a walk can be cancelled or varied for many reasons and that the Leader's decision is final.
- j) If you have a medical condition that may affect your capability during the walk, ensure that you inform the Walks Leader and if medication is required ensure you carry enough for the duration of the walk.
- k) Pets or children under 18 are not allowed to participate in walks.

2 During the Walk

- a) Follow the Leader's instructions and remember your Leader has your welfare at heart. Be courteous, co-operative and helpful to other walkers in the group. Follow the Bushwalker NSW Inc. Bushwalker's Code of Conduct <https://www.bushwalkingnsw.org.au/bushwalkers-code/>
- b) Generally, you should not leave the walk early, unless pre-arranged, but if it is necessary, you must advise the leader and sign off on the activity Sign on Sheet. If the Leader deems it necessary, you must accept their decision to send someone with you to accompany you out.

- c) Do not allow yourself to become separated from the group. If experiencing any difficulty such as pace, blisters, shortage of water, advise the leader immediately. Participants should maintain a line of sight with people in front and behind them.
- d) Car-pooling is recommended. Contribute to car costs if you are a passenger in another member's vehicle.
- e) It is your responsibility to allow sufficient distance between yourself and the walker in front so that you are not injured by branches flicking back.
- f) Do not leave the track, if on a track walk, or fall behind the person appointed 'tail' for any reason without advising the 'tail'.
- g) During the walk you should always have visibility of the Walks Leader and if in front you should stop at junctions until given directions from the leader on correct path.
- h) Keep Australia beautiful, take all rubbish home.

3 At the End of the Walk

- a) Ensure the leader is aware you have made it to the end.
- b) Remember to thank the leader.
- c) If you had an accident or incident during the walk ensure that the Walks Leader is informed (preferably during the walk), and that paperwork for the accident/Incident including witness statements are completed.

SECTION C - LEADER GUIDELINES

1 Planning a Walk

- a) Provide an accurate description of the walk, including the activity grade and forward the details to the Walks Co-ordinator.
- b) Pre-walk the route if possible, taking note of any potential risks and morning tea and lunch spots. If the walk is 'exploratory' plan the walk from reference to the map or by reference to other information sources.
- c) Email the Walks Coordinator before you complete a prewalk. The email should include the location and date of the prewalk as well as who will be walking. This is required so that the prewalk is covered by the Club's insurance policy.
- d) Choose areas and walk levels that are within your capabilities as a leader.
- e) The leader has the right to refuse participation to any persons they consider may present a risk to themselves or other participants or do not have the necessary skills for the activity. The Leader has the right to decide an upper limit regarding the number of participants for a walk, taking into account factors such as the terrain, safety and organisational difficulties. Temporary members' walks will be grade 3 or below, unless approved by the Walks Leader after they have assessed the capability of the temporary member.
- f) Clearly describe potential hazards to all intending participants and exclude any participant who in the leader's judgement may have difficulty completing the planned activity.
- g) For remote or off-track walks, leave comprehensive details of the walk with a reliable person including instructions on what to do if you do not return at the expected time.
- h) A few days prior to the walk the leader should check transport details if applicable, expected weather conditions and in summer, fire conditions, park closures, National Parks/State Forest alerts etc.
- i) The day before the walk check the predicted weather conditions for the next day. If extreme temperatures or weather conditions are predicted, the start time, length of walk can be modified, or the walk called off.
- j) The day before and the morning of the walk the leader should check the NSW hazards near me app for bushfires, flooding and warnings for the area around the planned walk. If there are bushfire or floods within the area of your planned walk the walk must be called off.
- k) Planned bush walks during total fire bans must be called off unless a thorough risk assessment for the walk has been completed. An alternative is to replace the planned walk with a safe walk option in an alternative area. Contact members that have already put their name down for the walk and inform them the walk has been cancelled. Websites to check are:

Hazards Near Me app <https://www.nsw.gov.au/emergency/hazards-near-me-app/>

Heatwatch <https://heatwatch.sydney.edu.au/>

- l) If the scheduled walk is in a National Park or State Forest the leader must ensure the day before the walk that there is no closure for the area of the planned walk, or any alerts that will impact the walk. The web sites for each organisation are:

NSW National Parks and Wildlife Service <https://www.nationalparks.nsw.gov.au/alerts/alerts-list/>

- m) If a walk has been modified or called off, contact members that have already put their name down for the planned walk and inform them the walk has been changed or cancelled.
- n) Approval to enter private property must be obtained in advance. If required complete the Permission to Enter Private Property form and send the completed form to the Walks Coordinator. You should record on the Sign on Sheet that the Permission to Enter Private Property form has been completed.

2 Prior to the Start of and During the Walk

- a) Ensure a map and compass, or tracking app, first aid kit, snake bandage and any other equipment appropriate for the planned activity are brought on the activity.
- b) Ensure all participants complete the Sign on Sheet which includes the Risk Waiver form and that there is no participant under 18 years.
- c) Hold an introductory circle prior to setting out and advise details of the walk including expected terrain, cliff faces, distance, possible hazards, expected return time etc. and that all participants have the requisite experience, equipment and fitness for the activity.
- d) Ensure that visitors have signed the Temporary Member form and the Sign on Sheet.
- e) Ask walkers to add the leader's mobile phone number to their phone in case they get lost or are having difficulty.
- f) Ascertain if anyone is carrying a GPS or Personnel Locator Beacon (PLB), for emergency use. Let the group know if you are carrying this type of equipment.
- g) Remind everyone that they should have adequate food & water, at least 1-2 litres for a day walk (& more as required for overnight trips). In hotter conditions and on long walks, carry 2 litres or more.
- h) Have a reliable person act as 'tail' for the group and advise participants not to fall behind this person for any reason without advising the 'tail'. Ensure you maintain a line of sight with the participants.
- i) Remind participants that on track walks that they should not move beyond a junction until correct tracks are pointed out by the leader and that the tail has caught up. This ensures that nobody goes the wrong way. Carry out regular head counts to ensure you have everyone.
- j) Have regular drink and rest breaks and allow walkers to regroup and allow last walker time to have a rest if required.
- k) Manage the group and monitor any unexpected hazards. Ensure everyone is comfortable with the pace and conditions. Remember it is easier for fast walkers to slow down rather than slow walkers to speed up.
- l) Hunting in state forests. There is no formal alert system for walkers to find out if permits have been granted for hunting in a state forest. If hunters are sighted or suspected during the walk the walk should be called off. Current information and links to an Exclusion Zone Map can be found at <https://www.bushwalkingnsw.org.au/hunting-hazards/>
- m) Anyone leaving the group before the end of the walk must sign off on the Sign on Sheet.

3 At the End of the Walk

- a) Ensure that all participants have arrived at the finishing point, and that all vehicles will start before anyone leaves.
- b) Forward the completed Sign on Sheets, Temporary Member Sheets, Access to Private Property forms and Incident Report Form, along with witness statements to the Walks Coordinator.
- c) For remote and off-track walks, contact the person with whom trip details were left to inform them of return.

SECTION D - PERSONAL EQUIPMENT

- a) **FOOTWEAR:** This is the most important part of your equipment. Whether shoes or boots are your personal choice, footwear needs to be comfortable, closed and have effective tread.
- b) **CLOTHING:** Should be loose and comfortable and preferably constructed from a strong fabric. Long sleeves and long trousers are recommended for sun protection and walking through thick scrub. A wide brimmed hat is essential for sun protection.
- c) **WET WEATHER GEAR:** Many types of wet weather gear are available, from more expensive waterproof jackets and pants to inexpensive light plastic raincoats and ponchos and even umbrellas. Whatever you choose, it is wise to take along some wet weather gear to all walks.
- d) **BACKPACK:** A backpack is required to carry your gear as it leaves your hands free.
- e) **WHAT YOU MUST CARRY:**
 - Ensure you carry enough water for the expected conditions, length of walk and personnel preferences. It is recommended that a minimum of 1-2 litres is required for a bush walk.
 - Sufficient food for your needs.
 - Adequate supply of required medication. Advise the walks leader if your medical condition is likely to affect your walking.
 - First Aid Kit and sunscreen. The kit should include items like band aids, snake bandage, triangular bandage, safety pins and antiseptic lotion. Paracetamol for personal use can also be useful.

SECTION E - REVIEW OF THE CLUB'S RISK MANAGEMENT POLICY

- a) The club will review its Risk Management Policy each year.
- b) The Lake Macquarie Bushwalkers Inc. Risk Management Policy document will be updated with the information gained by the review.
- c) The updated Lake Macquarie Risk Management Policy will be circulated to members.