

# Signs as Remote Supervision Policy

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## 1. Purpose

Federation Council has land and recreational facilities under its care and control that are accessible by the public, supporting Delivery Program Goal 1.5.3 – “Diverse recreation and sporting opportunities offered locally” and Delivery Program Goal 2.2.2 – “Well planned recreation facilities”.

These facilities may contain hazards and risks, both natural and manmade that could present a risk of injury, illness or property damage to users. In the instance of “reasonably foreseeable risk”, Council has a duty of care to users, and the most efficient way to fulfil that duty is to use warning signage, incorporating internationally recognised symbols, as a form of remote supervision.

## 2. Background

Councils around the State have been subject to liability claims attributed to signage on many occasions. Claims generally centre on complaints from, or injuries to, third parties due to the absence of appropriate signage, insufficient signage, or the wording or location of signage is deficient.

## 3. Scope

This Policy is applicable to all Councillors, Senior Management, Supervisors and staff of Council and encompasses all functions, activities and processes undertaken by Council in relation to the use of signage as a form of remote supervision.

## 4. Definitions

Risk - the effect of uncertainty on objectives.

Hazard - a source of potential harm.

Facility - is defined as “a parcel of land that may include reserves, parks, beaches, pools and, where applicable, waterways, either owned, operated or under the care and control of Council”.

## 5. Policy Statement

Signs are the cheapest and easiest method that Council can employ for supervision at remote locations. Signs are intended to perform the function of imparting information to the public that would otherwise require the presence of a staff member.

Appropriate signage will allow members of the public to make an informed decision about entering or using a particular facility under Council’s care, control or responsibility.

If the person then elects to enter the area and suffers injury resulting from the risk about which the warning symbol relates, then arguably Council has satisfied its duty of care and no liability should attach to it. However, the sign must be appropriate to the situation and placed in a suitable position to satisfy Council's duty of care.

This Policy titled "Signs as Remote Supervision", and the supporting documented Procedure, have been prepared to ensure that Federation Council has clear and concise directions as to the location, content and frequency of signs and to minimise public liability exposure emanating from the provision of services to the community.

Federation Council has prepared a documented Procedure titled "Signs as Remote Supervision", based on current best practice to assist with this.

The legal position regarding Warning symbols relating to risks associated with recreational activities is outlined in the Civil Liability Act 2002, Division 5, Clause 5M.

*"CLAUSE 5M - NO DUTY OF CARE FOR RECREATIONAL ACTIVITY WHERE RISK WARNING*

- (1) *A person ("the defendant" ) does not owe a duty of care to another person who engages in a recreational activity ("the plaintiff" ) to take care in respect of a risk of the activity if the risk was the subject of a risk warning to the plaintiff."*

To determine the most appropriate content of a sign for a facility, Council has adopted and implemented a process that is simple, systematic and easily replicated. The process has seven steps. Each step represents a stage within the risk management process.

The seven steps are:

1. Establish a full and complete inventory of all the Council facilities,
2. Determine Council's level of development within each facility, including naturally occurring features,
3. Ascertain the level of use of the facility by the public,
4. Predict or obtain the frequency of use of the facility,
5. Calculate the Facility Visitation Rate,
6. Calculate the Risk Rating of identified hazards, and
7. Select and produce the most appropriate sign and determine its location/s.

## **6. Responsibilities**

### **Council**

Council will allocate sufficient human and financial resources to provide for new signage where required, and to fund the ongoing inspection, installation, maintenance and replacement of existing signs as remote supervision.

Shall review the Policy from time to time to ensure it complies with the Legislation and is achieving the Council's intent.

### General Manager

Shall ensure the development of a Procedure titled “Signs as Remote Supervision”, based on current best practice that conforms to Council’s Policy.

Shall monitor the effectiveness of the Procedures (and any guidelines) in operation and authorise changes to improve the procedures to conform to Council’s Policy.

Shall report to council any issues that arise out of the Policy.

### Director and Staff

The Director, Infrastructure and Environment, and appropriate departmental staff, are responsible for the implementation and ongoing operation of this Policy and supporting Procedure(s).

Shall report regularly to the General Manager on the effectiveness of the Procedure(s).

### Risk Unit Staff

Shall provide risk management advice to all Federation Council staff, Councillors, volunteers and contractors as and when required.

## 7. References & Associated Documents

Signs as Remote Supervision Procedure  
Risk Management Policy  
Risk Management Framework  
Risk Management Plan  
Asset Management Plan  
Civil Liability Act 2002

## 8. Policy History

Version	Date	Changes / Amendments
1	Feb 2018	Initial Issue

## 9. Reviews

Review every two years.

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