



6.03 Inclusion and Safe Participation

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Authority:	This Policy is made under clause 39 of the SLSA Constitution. It is binding on all Members of SLSA and is to be interpreted in accordance with the SLSA Constitution.

1 BACKGROUND

Surf Life Saving Australia (SLSA) recognises the importance of inclusion and accessibility in all aspects of its activities and is committed to ensuring that people who experience disability or have underlying health conditions have equitable opportunities to engage in surf lifesaving.

Alongside this commitment SLSA must also prioritise and ensure the safety of all Members and the public. As an aquatic based community rescue service, priority must be placed upon water safety, rescue and survival in all activities conducted under the auspices of SLSA.

This policy seeks to balance these commitments and ensure all people have the best opportunity to engage, advance and excel in surf lifesaving activities by reducing or removing barriers that limit or prevent participation whilst maintaining the highest standards of safety for all Members and the public.

2 DEFINITIONS

2.1 Disability

For the purpose of this Policy, disability is defined as a broad and evolving concept encompassing a range of physical, psychological, intellectual, and sensory impairments or conditions which, in interaction with various barriers, may hinder a person's full, safe and effective participation in surf lifesaving activities on an equal basis with others. Disability is not solely an inherent attribute of a person, but is also shaped by societal structures, attitudes, and environmental factors that contribute to the experience of exclusion, discrimination and inequality.

Note: There is no single, universally accepted, definition of disability, and definitions differ between State/Territory, Commonwealth and International laws and standards. This definition aligns with the World Health Organisation's perspective of disability as a complex interaction between health conditions and contextual factors¹, the United Nation's focus on human rights and social inclusion², and the Commonwealth Disability Discrimination Act's emphasis on preventing discrimination and ensuring equality for people with disabilities.³

¹ World Health Organisation, Health Topics - Disability, url: <https://www.who.int/health-topics/disability>

² United Nations, Convention On The Rights Of Persons With Disabilities, url: <https://social.desa.un.org/issues/disability/crpd/preamble>

³ Australian Human Rights Commission, Know your rights about disability discrimination and harassment, url: <https://humanrights.gov.au/our-work/disability-rights/know-your-rights-about-disability-discrimination-and-harassment>

2.2 Underlying health conditions

For the purpose of this policy, underlying health conditions, also known as chronic health conditions, are defined as medical conditions or diseases that a person has in addition to any acute or immediate health concerns which may impact a person's full, safe and effective participation in surf lifesaving activities. These conditions often exist before the onset of another illness or injury, and can influence its severity, treatment options, and outcomes. Examples of underlying health conditions include diabetes, heart disease, asthma, cancer, autoimmune disorders, and chronic respiratory conditions. These conditions may weaken the immune system, affect organ function, or increase the risk of complications from other illnesses or injuries.^{4 5 6} An underlying health condition may also contribute to a person experiencing disability (as defined in 2.1 above).

2.3 Surf lifesaving activity

For the purpose of this policy, surf lifesaving activity is defined as any activity (and associated roles) delivered by SLSA, or an SLS Entity, including but not limited to:

- Award/Training programs and activities
- Surf patrol duties and rescue operations
- Operational and administrative duties
- Surf sport competitions and training sessions
- Surf lifesaving participation programs and activities.

2.4 SLS Entity

For the purpose of this Policy, SLS Entity includes:

- SLSA
- State Centres, being the governing body of Surf Life Saving in each affiliated State or Territory
- Branches, being those entities that are recognised by the respective State Centre
- Affiliated Clubs, being those Clubs, which are members of or affiliated to a Branch or State and SLSA.

2.5 Activity Manager

For the purpose of this Policy, Activity Manager is the person responsible for the delivery and/or oversight of the surf lifesaving activity which the member with a disability or underlying health condition seeks to participate in. Examples include:

- Training Officer or Chief Training Officer
- Lifesaving Director or Club Captain
- Operations Director or Manager
- Surf Sport Director or Manager
- Club or Programs Manager
- Junior Activities Coordinator.

⁴ AIHW, Chronic conditions, url: <https://www.aihw.gov.au/reports/australias-health/chronic-conditions>

⁵ ABS, Health conditions prevalence, url: <https://www.abs.gov.au/statistics/health/health-conditions-and-risks/health-conditions-prevalence/latest-release>

⁶ Australian Government Department of Health and Aged Care, About chronic conditions, url: <https://www.health.gov.au/topics/chronic-conditions/about-chronic-conditions>

2.6 Reasonable Adjustment

For the purpose of this Policy, reasonable adjustment can be made to all surf lifesaving activities whilst ensuring delivery is consistent with quality outcomes and safety in the context of the specific activity.

An adjustment is reasonable in relation to a member with disability or underlying health condition if it balances the interests of all parties affected. Any reasonable adjustment will be made without causing unjustifiable hardship to SLSA or SLS Entity and uphold the integrity and safety of the activity.

In assessing whether a particular adjustment for a member is reasonable, SLSA reviews the relevant circumstances and interests, including:

- The member's disability or underlying health condition
- The views of the member or the member's representative
- The impact of the adjustment on the member, including the effect on the member's:
 - ability to achieve the activity outcomes; and
 - ability to participate in the activity program; and
 - independence and dignity
- The effect of the proposed adjustment on any other affected parties, including SLSA personnel and other members
- The cost and benefits of making the adjustment.

The purpose of reasonable adjustment is to make it possible for members to participate to their full capability and in a meaningful and dignified way. It is not to give members with disability or underlying health condition an advantage over others, to change activity standards or outcomes, or to guarantee success.

3 SCOPE

This policy sets the standards and expectations for promoting inclusion and safe participation of people with disability and/or underlying health conditions in all aspects of surf lifesaving activities, including guidelines on the provision of reasonable adjustment and determining fitness to participate.

This policy applies to:

- Members, who identify as person with a disability and/or having underlying health conditions that may impact safe and effective participation in surf lifesaving activities.
- Medical and allied health professionals and support people associated with a member with a disability or an underlying health condition.
- SLSA employees, members, and SLS Entities.

4 LEGAL AND POLICY FRAMEWORK

4.1 Legal framework

- Commonwealth Disability Discrimination Act 1992
- Human Rights & Equal Opportunity Commission Act 1986 (Cth)
- National Vocational Education and Training Regulator Act 2011

- Standards for Registered Training Organisations (RTOs) 2015
- Commonwealth Disability Standards for Education 2005
- Privacy Act 1988
- Volunteering Australia National Standards for Volunteer Involvement

Note: Each state and territory may have additional legal frameworks that SLSA and SLS Entities may need to consider and adhere to.

4.2 Policy framework

SLSA operates in a complex and diverse Policy environment when it comes to inclusion of people with disability and underlying health conditions in SLSA activities.

4.2.1 Education and Training

As a Registered Training Organisation (RTO) under the National Vocational Education and Training Regulator Act 2011 and subject to the Standards for Registered Training Organisations (RTOs) 2015, SLSA acknowledges the importance of providing accessible education and training programs for individuals with disabilities and underlying health conditions. SLSA is committed to ensuring that our courses and materials are designed and delivered in a manner that accommodates diverse learning needs, including those related to disabilities, in compliance with the Commonwealth Disability Discrimination Act 1992 and the Commonwealth Disability Standards for Education 2005.

4.2.2 Volunteer Involvement

SLSA recognises the valuable contributions of volunteers and is committed to fostering an inclusive environment that welcomes people with disability and underlying health conditions. SLSA adheres to the Volunteering Australia National Standards for Volunteer Involvement, ensuring that recruitment processes, roles, and responsibilities are accessible and accommodating to individuals with disabilities and underlying health conditions, in compliance with relevant anti-discrimination legislation.

4.2.3 National Sport Organisation

SLSA is committed to promoting diversity and inclusion as a National Sport Organisation (NSO) recognised by the Australian Sports Commission. SLSA endeavours to ensure that individuals with disability and underlying health conditions have equal opportunities to participate in and enjoy our sporting programs, competitions, and events. By fostering an inclusive sporting culture and providing appropriate accommodations and supports, SLSA aims to enable everyone to engage in surf sports in a meaningful and equitable way.

5 ACCESS AND INCLUSION

5.1 Inclusion in Awards and Training

SLSA offers an award program that meets the challenges of modern-day rescue in an often, hazardous environment. The award syllabus reflects what can reasonably be expected, in the way of knowledge, skill and application of a surf lifesaver holding that award.

SLSA is committed to ensuring equitable access for people with disability and underlying health conditions in its awards program by providing reasonable adjustment including modifying assessment criteria or providing alternative assessment methods.

All people with disability will be afforded the opportunity to complete any award where they can demonstrate the knowledge, skill, and application of the award in a manner that is effective and safe.

5.2 Inclusion in patrol and rescue

SLSA offers a range of patrol roles that fulfil duties related to lifesaving, beach safety and operations including various specialist roles.

SLSA is committed to ensuring equitable access for people with disability and underlying health conditions to undertake a patrol role by providing reasonable adjustment including increasing accessibility of environments and equipment.

All people with disability and underlying health conditions will be afforded the opportunity to undertake a patrol role where they can demonstrate the required knowledge, skill, and application of the role responsibilities in a manner that is effective and safe both for themselves and for members of the public.

5.3 Inclusion in surf sport competition

SLSA offers a range of surf sport competition options and pathways for people with disability, including opportunities to compete in standard competitions and adaptive (disability specific) competitions.

SLSA is committed to ensuring equitable access for people with disability to compete in surf sport competitions at the level of their choice, reflective of their skill, and capability, by providing reasonable adjustment including modifying rules, environments, equipment and event programming.

SLSA may, at its sole discretion, develop and implement eligibility criteria designed to ensure competition is safe, meaningful, and fair. Participation in competition is contingent on meeting the eligibility criteria set out for the relevant competition.

Note: Surf sport for people with disability may require specific eligibility rules and criteria for participation, centred around grouping competitors based on impairment and/or health condition, for the purpose of fair and meaningful competition (also known as categorisation or classification). Thus, the definition of disability applied in this Policy may not be applicable to surf sport participation.

5.4 Inclusion in participation programs

SLSA offers a range of surf lifesaving participation programs that aim to develop lifesaving skills in a safe, fun, and welcoming environment for people of all ages and abilities.

SLSA is committed to ensuring equitable access for people with disability and underlying health conditions to participate in surf lifesaving participation programs by providing reasonable adjustment such as modifying rules, environments, equipment, and event programming.

Note: SLSA is also committed to providing choice in how members participate and acknowledges that specialised programming approaches that meet the specific needs of members with disability or underlying health conditions may be preferable or required to

provide a safe, accessible, and inclusive environment, however these options should be provided alongside inclusive and accessible standard participation options.

6 SAFE PARTICIPATION

Members with disability or underlying health conditions have the same right to participate in surf lifesaving activities as those without a disability or underlying health condition, while maintaining the quality and safety of the activity.

This section of the policy aims to provide a framework for ensuring the safe participation in surf lifesaving activities where a member's ability to perform essential tasks and respond appropriately to various situations encountered in the surf lifesaving environment may be affected by their disability or underlying health condition.

This is achieved through the identification and provision of reasonable adjustment and assessment of fitness to participate.

This section of the policy is intended to support medical professionals, SLS Entities and individuals involved in the development of plans for safe participation in lifesaving activities.

6.1 Assessment of Fitness to Participate

SLSA acknowledges that the member and their support system of health professionals have the most relevant and up-to-date information regarding a member's capacity and are best placed to develop a plan for the member to participate safely in surf lifesaving activities.

This policy and its supporting guidelines provide information and context to inform these discussions between the member and their healthcare team. SLSA will accept recommendations from registered healthcare professionals, and reserves the right to consider the reasonableness of the proposed adjustment and the participation plan, as detailed in the guidelines supporting this policy.

6.1.1 Assessment Considerations

Specific and relevant assessment issues and practices are provided in the Assessment Guidelines that support this policy and which are developed and amended periodically by the SLSA Medical Advisory Group.

In general, the following factors should be considered in assessing fitness to participate:

- Physical fitness
- Cardiovascular health
- Respiratory health
- Musculoskeletal health and function
- Sensory health and function (e.g. vision and hearing)
- Cognitive function
- Psychological health
- Medical conditions and medications.

6.1.2 Assessment Process

1. Self-identification

If a member identifies as having a disability and/or underlying health condition which may impact effective and safe participation in surf lifesaving activities, they should first notify the Activity Manager of the relevant surf lifesaving activity.

2. Plan Development

The member should consult with their health care professional(s) to develop a plan for safe participation. A plan for safe participation should be prepared in consideration of:

- **Review activity/role requirements:** Identification and review of requirements of the roles and activities the member wishes to undertake within surf lifesaving in both a volunteer and/or professional capacity.
- **Review guidelines:** Review of any relevant SLSA Guideline for Safe Participation.
- **Medical History Review:** Obtain a detailed medical history, including any past illnesses, injuries, surgeries, and current medications along with any existing adjustments and supports in place.
- **Physical Examination:** Conduct a thorough physical examination where relevant, focusing on health factors relevant to the member's disability or underlying health condition such as in relation to cardiovascular, respiratory, musculoskeletal, sensory, and neurological systems.
- **Functional Assessments:** Perform functional assessments relevant to the surf lifesaving activity being undertaken, such as swimming tests, strength tests, and simulated rescue scenarios, to evaluate the individual's ability to perform essential surf lifesaving tasks.
- **Complete request form:** Documentation of a plan for safe participation using the Plan for Safe Participation Request form (Appendix 7).

3. Activity Manager Noting and Action

Once a plan for safe participation has been developed it should be provided to the relevant Activity Manager for noting and action, if required.

4. Review by SLSA Medical Advisory Group

In certain circumstances, outlined in the relevant SLSA Guideline for Safe Participation, the Activity Manager may request a review of the plan by the SLSA Medical Advisory Group, Subcommittee on Participation. The purpose of this review is solely to ensure that the suggested plan for safe participation and required reasonable adjustment is achievable in the context of the indicated surf lifesaving activities.

The review group will consist of:

- Chair of the SLSA Medical Advisory Group, Subcommittee on Participation or their delegate
- a relevant subject matter expert on the surf lifesaving activity (which may include the relevant independent advisor) and
- the SLSA Diversity, Equity and Inclusion Advisor.

The group may consult a relevant subject matter expert on the disability or health condition as required.

The review group may recommend to:

- accept the Plan for Safe Participation in its entirety, OR
- suggest changes to the Plan for Safe Participation to be considered by the member and their healthcare professional.

Information to support assessments:

The review group may request additional evidence to support the decision-making process, this may include but is not limited to:

- Healthcare professional reports
- Medical history
- Physical examination
- Functional assessment
- Impact statement from the member or their parent/carer

5. Documentation

The Plan for Safe Participation, including any reasonable adjustment and assessment of fitness to participate, plus any required supporting information should be managed and stored by the relevant SLS Entity with responsibility for the given SLS Activity. The documentations should be included in the members Surfguard profile in accordance with the SLSA Privacy Policy.

6. Review

A Plan for Safe Participation should be reviewed regularly and updated as required. The duration of the Plan should be determined by the treating healthcare professional, and a review should occur where a member experiences a material change in their capacity which may impact safe and effective participation.

7. APPENDIX

Plan for Safe Participation Request Form

Part A: Member Details

Given Names:

Last Name:

Date of Birth:

Phone Number:

Email:

Surf Club:

What surf lifesaving activity does this plan relate to?

Completing an award or training course

Lifesaving patrol or rescue role

Surf sport competition or program

Participation program or activity

Other. Please describe:

What is the name of this surf lifesaving activity?

Part B: Assessment of fitness to participation in surf lifesaving activities – report

Health Care Professional:

Full Name

Qualifications:

Phone Number:

Email:

Address:

Health Professional's Registration Number
(relevant registering body):

Date of Examination:

Signature:

I have examined the member named above whom I have known/treated since (insert date): .

In my opinion and in accordance with Policy 6.03 Inclusion and Safe Participation, they :

(select one option only)

Meet the criteria for safe participation in the stated surf lifesaving activity

Meet the criteria for safe participation in the surf lifesaving activity with reasonable adjustment
(complete Part C)

Do not meet the criteria for safe participation in the stated surf lifesaving activity

Require further examination

Please describe the nature of the condition. Provide information to support consideration of the assessment decision, including information used to evaluate against the relevant Guidelines for Safe Participation, consideration of the surf lifesaving activity, or recommendations for further examination:

If applicable, please describe any recommended participation conditions or restrictions relating to the members disability or underlying health condition, activity modifications, assistive devices, corrective lenses or restricted activities, etc:

For conditions that have improved, please provide details of the criteria previously not met; the response to treatment and prognosis; duration of improvement; and other relevant information including consideration of the surf lifesaving task(s):

Part C: Request for reasonable adjustment

Please describe the reasonable adjustment requested:

Part D: Review

Please indicate when this plan should be reviewed: months

Part E: Supporting evidence

Further comments or evidence relating to this assessment is attached. (please attach)

Part F: Agreement

I, _____ (Participant name and address)
agree to participate in the Activity on the following terms:

1. In this declaration:

Activity means the surf lifesaving activity/activities the subject of the Participant's Safe Participation Plan made under SLSA Policy 6.03 (inclusion and Safe Participation)

Claim means and includes any action, suit, proceeding, claim, demand, damage, penalty, cost or expense however arising including but not limited to negligence BUT does NOT include a claim against SLSA by any person entitled to make a claim under a relevant insurance policy.

SLSA means Surf Life Saving Australia Limited and includes its directors, officers, servants or agents, members (including Clubs) and their respective directors, officers, members, servants or agents.

2. I acknowledge my participation in the Activity will be accepted upon notification to me by SLSA. I acknowledge that I will be bound by and agree to comply with such rules, terms and conditions as may be imposed by SLSA in respect to the conduct and management of the Activity in addition to this Declaration.

3. **Warning: The Activity can be inherently dangerous.**

I acknowledge that depending on the nature of the Activity I may be exposed to certain risks during the Activity including but not limited to physical exertion, contact with surf lifesaving equipment, body contact with other persons, potential contact with sea creatures and surf, sea, tide, wind and weather conditions including but not only temperatures and ocean currents. I acknowledge that accidents or incidents can and often do happen which may result in me being injured or even killed, or my property being damaged. I have voluntarily read and understood this warning and accept and assume the inherent risks in participating in the Activity.

4. Exclusion of implied terms: I acknowledge that where I am a consumer of recreational services, as defined by any relevant law, certain terms and rights usually implied into a contract for the supply of goods and services may be excluded. I acknowledge that these implied terms and rights and any liability of SLSA flowing from them, are expressly excluded to the extent possible by law, by this declaration. To the extent of any liability arising, the liability of SLSA will, at the discretion of SLSA, be limited to the resupply of the services or the payment of the cost of having the services supplied again.

5. Release & Indemnity: In consideration of SLSA accepting my application to participate in the Activity I:
 - (a) release and will release SLSA from all Claims that I may have or may have had but for this release arising from or in connection with my participation in the Activity; and
 - (b) indemnify and will keep indemnified SLSA to the extent permitted by law in respect of any Claim by any person arising as a result of or in connection with my participation in the Activity.
6. Fitness to Participate: I will comply with any health-related directions issued by any relevant government in respect to the Activity. I have been advised to undergo a physical check-up prior to participating in the Activity and to present SLSA with a medical clearance from my doctor. I declare that I am medically and physically fit and able to participate in the Activity. I am not and must not be a danger to myself or to the health and safety of others. I will immediately notify SLSA in writing of any change to my medical condition, fitness and ability to participate. If I feel unwell prior to the Activity I will not attend. If I feel unwell during the Activity I will immediately withdraw from, and leave the Activity. I acknowledge that if I have left the Activity I cannot return unless advised by a medical practitioner that I am able to do so.
7. Privacy: I understand that the information that I have provided to SLSA is necessary for me to participate in the Activity. I acknowledge and agree that the information may be disclosed to third parties but will only be used for the Objects of SLSA and only in accordance with SLSA's privacy policy. If the information is not provided, I may not be able to participate in the Activity. I acknowledge that SLSA may also use my personal information for the purposes of providing me with promotional material from SLSA sponsors or third parties. I may advise SLSA if I do not wish to receive any sponsor or third-party material.
8. I acknowledge the rights of SLSA to use, without restriction, any images or photographs captured or taken of me before, during or after the Activity.
9. I have provided the information required and signed this form where indicated. I warrant that all information provided is true and correct. I acknowledge that this application and declaration cannot be amended. If I do amend it my application will be null and void and cannot be accepted by SLSA.

10. Severance: If any provision of this membership declaration is invalid or unenforceable in any jurisdiction, the phrase or clause is to be read down for the purpose of that jurisdiction, if possible, so as to be valid and enforceable. If the phrase or clause cannot be so read down, it will be severed to the extent of the invalidity or unenforceability of it in any other jurisdiction.

Such severance does not affect the remaining provisions of this membership declaration or affect the validity or enforceability of it in any other jurisdiction.

11. By signing this agreement I acknowledge that these terms are legally binding and that I agree to these terms and conditions for myself and also on behalf of any other person included in the transaction. By completing and submitting the following form you and any others included in the transaction are entering an agreement which, if accepted by us, will result in a binding contract. It is governed by NSW law.
12. If the Participant has not yet reached the age of 18 years, or requires a guardian, I, **the parent or guardian** of the Participant authorise and consent to the applicant undertaking the Activity. In consideration of the Participant's participation in the Activity, I expressly agree to be responsible for the Participant's behaviour and agree to accept, in my capacity as parent or guardian, the terms set out in this declaration, including the provision by me of a release and indemnity in the terms set out above. In addition, I agree to be bound by and to comply with the SLSA Constitution and any regulations and policies made under them.

Member:

Full Name

Date:

Signature:

Office use

Received by:

Full Name

Member ID:

Date:

Signature:

Received by MAG:

Full Name

Date:

Signature:

Outcome : Accepted

Changes recommended

MAG Recommendations:

Filed by:

Full Name

Date:

Signature: