

**IN THE FAIR WORK COMMISSION
MATTER NO: AM2014/227.**

Fair Work Act 2009

Section 156 – 4 yearly review of modern awards

Fitness Industry Award 2010

**Submission on behalf of Australian Swim Schools Association Ltd.
Lodged by HMT Consulting.**

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4 YEARLY REVIEW OF MODERN AWARDS

AM2014/227 – FITNESS INDUSTRY AWARD 2010

| No. | Title | Page |
|---------|--|------|
| 1. – 3. | Introduction | |
| 4. | Technical and drafting issues | |
| 5. | Background | |
| 6. | The Nature of the Swim School Sector | |
| 7. | Modern Awards Objective and Sections 138 & 160 | |
| 8. | Proposed Amendments to Exposure Draft of 2015 Award | |
| 9. | Conclusion | |
| | Attachments | |
| A | Witness Statement – Ross Gage – CEO – Australian Swim Schools Association Ltd. | |
| B | Witness Statement – Julia Ham – Director – Hampton Swim Schools Pty Ltd. | |
| C | Royal Life Saving National Drowning Report 2016 | |
| D | ASSA – “No Drown Town” Summary | |
| E | Sport, Fitness and Recreation Training Package Amendments. | |

INTRODUCTION:

1. These submissions are made on behalf of the Australian Swim Schools Association Ltd (ASSA), whose member organisations have previously been represented in these proceedings under the banner of 'Aussie Aquatics'.
2. On 14th December, 2016, Deputy President Clancy issued directions in regard to technical and drafting claims relating to the revised Exposure draft published on 29th July 2016 in respect of the *Fitness Industry Award 2010*.
3. Further to the directions set down by the Deputy President we provide the following submissions in regard to Direction 3, relating to matters arising to Direction 1. (i).
 - 3.1 on 22nd December, 2016, the a schedule of comments (see below) was forwarded to the Commission;
 - 3.2 The following submissions are made in support of the changes sought to the Exposure Draft of 29th July, 2016.

4. TECHNICAL AND DRAFTING ISSUES

| <u>CLAUSE NO. & TITLE.</u> | <u>COMMENT.</u> |
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| PART 1 – Application and operation. | |
| 1. Title and commencement. | No comment. |
| 2. The National Employment Standards and this award. | No comment. |
| 3. Coverage. | Sub-clause 3.4 should be replaced with the following: “This award does not cover an employee who is employed by the employer to provide administrative and other operational support outside of fitness centres, group fitness organisations, weight loss/control centres, aquatic centres, indoor sports centres, golf driving ranges, dance centres, martial arts centres, recreational camps, tennis clubs and centres.” |
| 4. Award flexibility. | No comment. |
| 5. Facilitative provisions. | No comment. |
| PART 2 – Types of Employment and Classifications. | |
| 6. Classifications. | Support the changes made to sub-clause 6.2, including substitution of “on” for “of” in (b). |
| 7. Types of employment. | No comment. |
| PART 3 – Hours of Work. | |
| 8. Ordinary hours of work and rostering. | Sub-clause 8.3 should be incorporated as it appears in this draft (without reference to casuals). |
| 9. Breaks. | No comment. |
| PART 4 – Wages and Allowances. | |
| 10. Minimum wages. | No comment. |
| 11. Allowances. | Sub-clause 11.1 to have added prior to the first full stop: |

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| | <p>“, provided that employees engaged under sub-clause 7.3 (as part-time), shall be paid all allowances on a pro-rata, hourly, basis.”</p> <p>Please refer to submissions below.</p> |
| 12. Superannuation. | No comment. |
| PART 5 – Penalties and Overtime. | |
| 13. Penalty rates. | No comment. |
| 14. Overtime. | <p>Support incorporation of the new sub-paragraphs (a) & (b) as they now appear in the draft, in lieu of the original drafting, in sub-clause 14.3</p> <p>No comment in regard to the balance of clause 14.</p> |
| PART 6 – Leave, Public Holidays and Other NES Entitlements. | |
| 15. Annual leave. | Support clause 15 in its entirety as redrafted. |
| 16. Personal/carer’s leave and compassionate leave. | No comment. |
| 17. Community service leave. | No comment. |
| 18. Public holidays. | No comment. |
| 19. Termination of employment. | No comment. |
| 20. Redundancy. | No comment. |
| PART 7 – Consultation and Dispute Resolution. | |
| 21. Consultation. | No comment. |
| 22. Dispute resolution. | No comment. |
| Schedule A – Classification Definitions. | <p>The exposure draft replicates the current contents of the Schedule B of the 2010 award, together with <u>some, but not all</u>, amendments put forward to the Commission in March & May 2016 by parties, in response to the draft published on 18th December 2015.</p> <p>All underscored amendments in the exposure draft are supported; concurrently the following additional changes are sought (refer to submissions below):</p> <p>A.1.1 (a) add the following: “... And assisting with swimming and water safety teaching;” further, add: (x) “swimming and water safety teaching”.</p> <p>A.2.1 (delete) and replace with the following:</p> <p>“An employee at this level has qualified as a swimming and water safety teacher (which can include specialist qualifications relating to the likes of babies and toddlers, learners with disability, and towards competitive swimming), or swimming coach, or a pool plant operator, or has completed 456 hours within the scope of Level 1.”</p> |

A.2.2 (b) at (ii) add the words “pool plant operating”;
Further:

Delete (xiii) and substitute the following words:

“(xiii) teaching swimming and water safety, being the holder of a current qualification (with the relevant industry Competencies), coaching ‘junior’ squad level swimmers, being the holder of a current recognised swimming coaching qualification.”

A3.3 delete and substitute the following:

An employee at this level may also be:

- “(a) a swimming and water safety teacher being a holder of any current qualification with the relevant Industry Competencies, who has:
 - (i) attended five hours per year of professional development (as recognised by a national industry body) and 350 hours of teaching at Level 2, or
 - (ii) who holds a second recognised swimming and water safety teaching qualification and delivered 350 hours of swimming and water safety teaching; or
- (b) coaching swimmers being a holder of a current recognised swimming coaching qualification.
- (c) a pool lifeguard who has been appointed to the position of pool lifeguard by the employer and has completed a nationally-recognized Lifeguarding qualification.

Any dispute concerning an employee’s entitlement to be paid at Level 3 as a swimming teacher or swimming coach may be referred to the Fair Work Commission for determination. The Fair Work Commission may require an employee to demonstrate to its satisfaction that the employee utilises skills and knowledge required at this level.”

A.5.3 delete and substitute the following:

“An employee at this level may also be:

- (a) a swimming and water safety teacher, being a holder of any current qualification with the Industry Competencies:
 - (i) attended five hours per year of professional development (as recognised by a national

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| | <p>industry body) and performed 500 hours of swimming teaching at level 3, or</p> <p>(ii) who holds a third recognised swimming and water safety teaching qualification and performed 500 hours of swimming teaching at level 3 ; or</p> <p>(b) a swimming coach being a holder of a current recognised swimming coaching qualification, who has:</p> <p>(i) performed 12 hours per year of recognised workshops and 500 hours of coaching beginners and attended a recognised seminar/conference within the past 12 months, or</p> <p>(ii) delivered 700 hours of coaching to swimmers.</p> <p>(c) a senior pool lifeguard, being a holder of industry-recognized pool lifeguard qualifications as detailed in 3.3 (c) and who has been appointed by the employer to lead a team comprised of qualified pool lifeguards, and/or persons undertaking a nationally-recognized course of Lifeguarding to become pool lifeguards.</p> <p>Any dispute concerning an employee’s entitlement to be paid at Level 4 as a swimming teacher or swimming coach may be referred to the Fair Work Commission for determination. The Fair Work Commission may require an employee to demonstrate to its satisfaction that the employee utilises skills and knowledge required at this level.”</p> |
| <p>Schedule B – Summary of Hourly Rates of Pay.</p> | <p>Schedule B2.1, in the absence of further changes to clause 8, should not contain ‘overtime rates’ relating to Casual employees.</p> |
| <p>Schedule C – Summary of Monetary Allowances.</p> | <p>Consistent with views expressed in relation to clause 11, C.1 <u>may</u> require redrafting to facilitate payments of less than a “week” or a “day”, to accommodate part-time employment.</p> |
| <p>Schedule D – Supported Wage System.</p> | <p>No comment.</p> |
| <p>Schedule E – National Training Wage.</p> | <p>No comment.</p> |
| <p>Schedule F – 2016 Part-day Public Holidays.</p> | <p>Is this provision now redundant?</p> |
| <p>Schedule G – Definitions.</p> | <p>Incorporate an additional definition –‘centres’ in the following terms: “for the purposes of the Classification Definitions</p> |

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| | appearing in Schedule A – centres ’ shall mean locations, organisations or activities, as listed in sub-clause 3.2 under the definition of fitness industry. ” |
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5. BACKGROUND

- 5.1 The Fitness Industry Award 2010 is a product of the Award Modernisation process undertaken by the Australian Industrial Relations Commission (AIRC) in 2008/09;
- 5.2 The award covers callings and classifications previously the subject of the following NAPSAs:
- Health, Fitness and Indoor Sports Centres (State) (NSW) Award [AN 120240];
 - Health and Fitness Centres, Swim Schools and Indoor Sports Award – State (Qld) 2005 [AN 140142];
 - Health Recreation and Fitness Award (S.A) [AN 150063];
 - Health and Fitness Centres Award (Tas) [AN 170043].
- 5.2.1 The AIRC took submissions from interested parties between mid to late 2009;
- 5.2.2 During this process ASCTA/Swim Australia made multiple submissions to the Commission and actively participated in discussions with other employers and relevant union officials.
- 5.3 To date, one or other of ASSA & ASCTA, have been actively involved in all steps of the Four Yearly Review of the Fitness industry Award 2010.

6. THE NATURE OF THE SWIM SCHOOL SECTOR

- 6.1 The witness statements of Mr Ross Gage (Attachment ‘A’) and of M/s Julia Ham, The Director of Hampton Swim School (Attachment ‘B’), provide valuable insight into the size and nature of the Swim School Sector.

1 Witness Statement of Ross Gage - Attachment ‘A’ – paragraph 6

2 Witness Statement of Ross Gage – Attachment ‘A’ - Four Yearly Review of the Fitness Industry Award 2010 – paragraphs 6.1 & 6.2

3 Witness Statement of Ross Gage – Attachment ‘A’ – paragraphs 2.1: 2.2: 2.3

4 Witness Statement of Julia Ham – Attachment ‘B’ – paragraphs 1.4: 1.5

- 6.2 Underscored by the professional experiences of the two industry witnesses ⁵, and ⁶, is the significance of the proper application of the terms of the Fitness industry Award;
- 6.3 Further, central to the successful delivery of appropriate water safety skills are high trust relationships between teachers, pupils and parents. The achievement and maintenance of those relationships require proper people and time management tools.⁷
- 6.4 Many, if not the majority of operators in the Sector, do not enjoy the benefits of either state or national employer representative organisations, nor engage formally qualified Human Resource Managers.^{8,9}
- 6.5 If labour costs increased and flexibility in managing labour decreased due to the operation of a new version of the Fitness Industry Award, it is apparent that businesses in the Sector would be under even more pressure to raise fees, with the flow-back being a lowering of water safety standards in the community.¹⁰ and ¹¹.

6.6 IMPORTANCE OF WATER SAFETY

- 6.6.1 ¹² ASSA and other representative bodies in the field of water safety and lifesaving are committed to *“the notion that all Australian children have the right to a comprehensive swimming and water safety education.”*
- 6.6.2 There were 280 drowning deaths in Australian Waterways between 1st July 2015 and 30th June 2016 ¹³. Swimming and recreating was the most common activity prior to drowning amongst children aged 5-14 years, accounting for 7 deaths (64%, off all deaths in this cohort).¹⁴ This *“highlights the importance of water safety knowledge in this age group.”* Drowning is the major cause of accidental death of under five-year-olds in Australia – and for each fatality, many more are left with some form of permanent brain damage from non-fatal drowning.

⁵ Witness Statement of Ross Gage – Attachment ‘A’ – paragraphs 2.5, 3, 3.1, 3.2, 3.3 3.4

⁶ Witness Statement of Julia Ham – Attachment ‘B’ – paragraphs 3, 3.1, 3.2, 3.3

⁷ Witness Statement of Julia Ham – Attachment ‘B’ – paragraphs 4.5, 6

⁸ Witness Statement of Ross Gage – Attachment ‘A’ – paragraphs 4, 4.1, 4.2

⁹ Witness Statement of Julia Ham – Attachment ‘B’ – paragraphs 1.4, 1.5

¹⁰ Witness Statement of Ross Gage – Attachment ‘A’ – paragraphs 5, 5.1, 5.2, 7.3, 7.4

¹¹ Witness Statement of Julia Ham – Attachment ‘B’ – paragraph 4

¹² Royal Life Saving National Drowning Report 2016 – Attachment ‘C’ – page 3

¹³ Royal Life Saving National Drowning Report 2016 – Attachment ‘C’ – page 4

¹⁴ Royal Life Saving National Drowning Report 2016 – Attachment ‘C’ – page 20

6.6.3 Programs such as ‘*Royal Life Saving Grey Medallion*’ course, and or, Adult Learn to Swim Courses, encourage “*older people to test their skills and fitness in the controlled environment of a public swimming pool prior to recreating in open water locations.*” ¹⁵.

6.6.3.1 The age group 65 and over are the second highest at risk group, with 58 drownings (21% of the total in 2015/16). ¹⁶

6.6.3.2 ASSA works closely with Government Agencies and the community, to develop programs and policies aimed at achieving the cultural change required to improve water safety knowledge and expertise. ¹⁷ and as illustrated by the outline of the ¹⁸ ‘*No Drown Town*’ initiative.

6.7 INDUSTRY STANDARDS

6.7.1 ¹⁹ The ‘*Australian Water Safety Strategy 2016-2020*’ has as its core goal the reduction of deaths by drowning by 50% by the year 2020;

6.7.1.1 The strategy identifies the supporting activities, or *Drowning Prevention Pillars*, which will play a key role in the achievement of the strategy’s goals as:

- Advocacy
- Research
- Collaboration
- Safe Venues
- Workforce
- Policy
- Education

6.7.1.2 ASSA advocates that three ‘pillars’ - ‘Workforce’, ‘Policy’ and ‘Education’, are impacted by the application of the provisions contained in the *Fitness Industry Award*.

6.7.1.3 ²⁰ The 2010 Award, unlike its predecessor NAPSAs, contains competency-based classification descriptors.

6.7.1.4 ²¹ Since 2009, there have been several reviews and amendments of the ‘*Sport, Fitness and Recreation Training Package*’ identifies changes arising from the most recent review, as they impact upon staff employed by Swim School Operators.

¹⁵ Royal Life Saving National Drowning Report 2016 – Attachment ‘C’ – page 23

¹⁶ Royal Life Saving National Drowning Report 2016 – Attachment ‘C’ – page 31

¹⁷ Witness Statement of Ross Gage – Attachment ‘A’ – paragraphs – 2.4, 2.4.1, 2.4.2, 2.4.3

¹⁸ No Drown Town – Attachment ‘D’

¹⁹ Royal Life Saving National Drowning Report 2016 – Attachment ‘C’ – page 4

²⁰ Witness Statement of Ross Gage – Attachment ‘A’ – paragraphs – 7, 7.2

²¹ Sport, Fitness and Recreation Training Package – Attachment ‘E’

7. MODERN AWARDS OBJECTIVE AND SECTIONS 138 &160

- 7.1 In exercising its modern award powers, the Commission must ensure that modern awards, together with the NES, provide a fair and relevant minimum safety net of terms and conditions taking into account each of the matters listed at ss.134(1)(a)-(h). The notion of 'fairness' in s.134(1) is not confined in its application to employees. Consideration must also be given to the fairness or otherwise of award obligations on employers. "*Fairness is to be assessed from the perspective of both employers and employees*" (4 yearly review of modern awards [2015] FWCFB 3177 at [109]).
- 7.2 Additionally, the critical principle to flow from the operation of s.138 is that a modern award can only include terms as are necessary in the relevant sense. It is not a legislative precondition that arises only at the time that a variation to an award is sought.
- 7.3 Further, ASSA acknowledges that key threshold principles need to be addressed:
- The Commission will proceed on the basis that a modern award achieved the modern awards objective at the time it was made;
 - An award must only include terms to the extent necessary to achieve the modern awards objective. A variation sought must not be one that is merely desirable – must be necessary; and
 - Each of the matters identified under s 134(1) are to be treated as a matter of significance and no particular primacy is attached to any of the considerations arising from it.
- 7.4 In regard to s134(1) the ASSA formally submits that none of the matters listed as 'Modern Award Objectives' (a) – (c) are either relevant to, or are impediments to the Commission's favourable consideration of the changes sought in the terms of the Exposure Draft published on 29th July 2016, in respect of the Fitness industry Award 2015.
- 7.4.1 On the other matters listed in (d) – (h), submissions will be advanced on each at the relevant point, in section, 8, below.
- 7.5 Within the terms of s160 (2) (a), the Commission is at liberty to make a determination varying a modern award to remove an ambiguity or uncertainty or correct an error, "*on its own initiative...*" We contend that this provision continues to be available during the Review, either on application or on the Commission's own initiative. We strongly submit, in anticipation of interested parties being provided with an opportunity to comment on any such proposed variation.

8. PROPOSED AMENDMENTS TO EXPOSURE DRAFT OF 2015 AWARD

- 8.1 ASSA firmly submits that, on balance, matters it seeks to press in these proceedings are attempts to remove ambiguities and uncertainty arising from the operation of the 2010 Award, and hence are aimed at ensuring a simpler and easier to understand modern award, consistent with s.134(1) (g) of the Modern Award Objectives;
- 8.1.1 The proposed changes we spotlight may, we respectfully submit, be in most cases self-evident and can be determined with little formality.
- 8.2²² As explained in Mr Gage's statement, the current Award is the industrial instrument currently regulating the terms and conditions of "*the greater proportion*" of the workforce in the sector. Whilst it is not "*unusual to find*" individuals rostered "*across operational units*". Concurrently, Mr Gage estimates 80% of the activities covered by the current award are performed by casuals and other non-fulltime/permanent employees²³.
- 8.2.1 The heavy reliance on casuals and part-timers, together with the relatively short duration of 'classes'²⁴ (identified as requiring less than one and a half hours) lends itself to arrangements requiring multi-tasking over the span of a rostered shift;
- 8.2.2 In turn, given the relatively small size of many Swim School Operations²⁵ (with '*medium sized*' characterised as being in the order of 20 employees, by M/s Ham – paragraph 1.4, Attachment 'B'), dedicated clerical/administrative staff, engaged on a fulltime basis, would be an exception not the rule;
- 8.2.3 We submit that there are significant benefits arising from the ease of payroll administration and rostering of employees, within the framework of one award (or an Enterprise Agreement, built on one award);
- 8.2.4 ASSA is of the view that the wording of the current clause 3 (**Coverage**) (clause 4 in the 2010 Award) – 3.1 "*This industry award covers employers throughout Australia engaged in the fitness industry and their employees in the classifications in this award to the exclusion of any other modern award.*"
- And goes on to read at 3.4 "*This award does not cover an employee who is employed by the employer to provide administrative and other operational support outside of fitness centres.*" (emphasis added); suggests that organisations such as aquatic centres, indoor sports centres, and providers of "**aquatic services or classes**" referred to in the definition of '*fitness industry*', fall outside the coverage of the current/proposed award.

22 Witness Statement of Ross Gage – Attachment 'A' – paragraphs 2.2, 3.2

23 Witness Statement of Ross Gage – Attachment 'A' – paragraph 3

24 Witness Statement of Ross Gage – Attachment 'A' - paragraph 3

25 Witness Statement of Julia Ham – Attachment 'B' – paragraph 1.4

- 8.2.4.1 This is a critical issue, as the classification descriptors contained in Schedule 'A' of the Exposure Draft at levels 1,2,3, 6 &7, relate in part to functions reasonably falling within the activity of providing **“administrative and other operational support”**. These classifications, and the 2010 award generally, are widely used in the Swim School Sector to engage support and managerial staff.
- 8.2.4.2 Concurrently, a related matter arises in the wording used in the descriptors appearing in Schedule 'A' of the Exposure Draft; reference is made to “centre” or “centres” (appearing at A.2.2 (b) (i), A.3.1, A.5.1, A.6.1 (c),A.7.1 (c) & A.9.3). We contend that the Award would be enhanced by the inclusion of a definition of ‘centres’ , in clause 3.2 in the terms detailed in the table of comments on *‘Technical and drafting issues’* appearing at paragraph 4 of these submissions; this amendment, together with the incorporation of a new sub-clause 3.4 in the following terms:
“This award does not cover an employee who is employed by the employer to provide administrative and other operational support outside of fitness centres, group fitness organisations, weight loss/control centres, aquatic centres, indoor sports centres, golf driving ranges, dance centres, martial arts centres, recreational camps, tennis clubs and centres.”
would avoid uncertainty and ambiguity as to the intended coverage of the award;
- 8.2.4.3 The changes sought would not disadvantage any party, nor unsettle clearly established award demarcations in other allied sectors;
- 8.2.4.4 Affirm the operational arrangements currently applying in the Swim School Sector;
- 8.2.4.5 In adopting these proposals the ASSA submits that it would be doing so consistent with the requirements of s134 (1), (f) & (g), of the *Modern Award Objectives*.
- 8.2.4.5.1 The need to operate, usually small to medium sized businesses, under a multiplicity of awards would place a significant challenge to organisations of the type found in this Sector, which would ultimately see costs incurred being flowed to the consumer ²⁶.
- 8.2.4.5.2 Further, for the reasons identified by Mr Gage ²⁷, we humbly submit that in embracing the two changes the Commission would be applying principals articulated by Senior Deputy President Polites in *Re. Public Service (Non Executive Staff – Victoria) (Section 170MX) Award 2000 – T3721, 24 Nov 2000.*) To remedy a “state of not being definitely know or perfectly clear, doubtfulness or vagueness”, to what we contend are deficiencies in both the current draft and 2010 Award.

²⁶ Witness Statement of Ross Gage – Attachment 'A' – paragraph 7.3

²⁷ Witness Statement of Ross Gage – Attachment 'A' – paragraphs 7.1, 7.1.1

- 8.3 The ASSA seeks to amend the operation of clause 11 (**Allowances**) of the Exposure Draft, to provide pro-rata payments for employees engaged on other than a fulltime basis.
- 8.3.1 Currently the draft reads in part:
- 11.1 *“Employers must pay to an employee the allowances the employee is entitled to under this clause.”*
- The clause then goes onto prescribe ‘weekly payments’ (leading hands at (a)), ‘daily payments’ (broken shift at (b), first aid at (c));
- 8.3.2 The current award and the Exposure Draft, is unusual in as far as certain categories of casual employees can be engaged for a minimum period of one (1) hour (clause 7.4 (c) (ii), of the draft & 13.5 of the 2010 Award); and for part-time employees a minimum of three consecutive hours (clause 7.3 (d) of the draft and 12.4 of the 2010 Award);
- 8.3.3 Mr Gage has described ²⁸ and M/s Ham ²⁹, the duration and number of rostered occasions commonly worked in Swim Schools; and further, the high incidence of less than fulltime employment (see paragraph 8.2, above) has also be put forward in these submissions;
- 8.3.4 ASSA contends that the provisions referred to above, do not sit well with the requirements of s 134, in regard to the concept of ‘fairness’ (refer to paragraph 7.1, of these submissions), in as far as a casual working for as short a period as one (1) hour, and a part-time employee working for as short a period as three (3) consecutive hours, has the same monetary entitlement as a fulltime employee rostered to work up to ten ordinary hours in one day (clause 8.3 of the draft);
- 8.3.5 Further, the structure of the allowances in the current award remains as is since the inception of the award in January 2010; whereas, sub-clause 13.5, relating to minimum casual engagements was inserted on 16th November 2012 (PR531302); therefore, relying upon the submission found at 7.3, above it cannot be reasonably suggested that the Modern Award Objective has been achieved in regard to this newer, and in the context of the Swim School Sector, significant, award variation. We urge the Commission to consider the Threshold Principle, referred to in paragraph 7.3, in appraising our request that the Exposure draft be amended in terms adding the words:
- “provided that employees engaged under sub-clause 7.3 (part-time) and sub-clause 7.4 (Casual), shall be paid allowances on a pro-rata, hourly, basis”* at the conclusion of the first sentence of sub-clause 11.1.
- 8.3.6 In the absence of such an amendment, we would strongly submit that a significant economic burden would be placed upon operators, given Mr Gage’s statements in regard to the incidence, and classification (the overwhelming majority of Swim Teachers, and their assistants and Coaches, and their assistants being engaged between levels 2 & 5 of the award levels ³⁰. A burden that cannot be offset through any improvement in either productivity or flexibility, and therefore would ultimately be passed on to consumers. An development that would be inconsistent with s 134(1) (f) & (h) of the Modern Award Objective.

²⁸ Witness Statement of Ross Gage – Attachment ‘A’ – paragraph 3.1

²⁹ Witness Statement of Julia Ham – Attachment ‘B’ – paragraph 5

³⁰ Witness Statement of Ross Gage – Attachment ‘A’ – paragraph 3.3

8.3.7 Given the Commission is moved to be mindful of the amendment sought in relation to sub-clause 11.1, complimentary redrafting would be required to the current table in Schedule C, **C.1 Wage related allowances**.

8.4 In relation to Classification descriptors, as indicated at paragraph 4 of these submissions, the Exposure Draft replicates the current contents of the Schedule B of the 2010 award, together with some, but not all, amendments put forward to the Commission in March & May 2016 by parties, in response to the draft published on 18th December 2015;

8.4.1 During 2014-15 a review of the competencies relating to the '*Sport and Community Recreation Training Package*' was undertaken,³¹ which gave rise to significant changes in the content and designation of the competencies referred to in Schedule B of the current award, in regard to Level 2, Swimming and Water Safety Teachers.

8.4.2 Given the duration of the period between reviews, of Modern Awards, it is apparent that there is a high likelihood that the development and ongoing reviews of standards in the Fitness Sector will see the Award reduced in its effectiveness as a consequence of discarded/ redundant references appearing as classification descriptors;

8.4.3 ASSA, and prior, Aussie Aquatics Pty Ltd, undertook extensive discussions within the Swim School Sector, the AWU and employer representatives during 2014, 2015 & 2016, developing a structure of classifications intended to achieve the following objectives:

- Remove redundant references to elements of the relevant training package; indeed remove references to specific competencies generally, and instead, rely upon more accurate descriptions of the tasks involved and relevant industry experience required of each classification level;
- Remove 'corporate branding' of training products;
- Redraft some aspects of the current wording to clarify the cross-over points between levels 1, 2 & 3, without seeking to change the relativities between existing rates.

8.4.3.1 Up until January 2017, ASSA understood that there was no opposition to the amendments to Schedule A of the Draft Award, as detailed in paragraph 4, of these submissions. The Association is now aware that others, including the AWU, are seeking to press for changes, which go beyond the objectives detailed, above. The ASSA does not support any further changes, as they would relate to Swim School Operators;

8.4.4 Mr Gage details the importance of proper and precise classification of operational staff in the context of effective water safety training ³²; he is strongly supported by M/s Ham, as a current School operator, ³³.

³¹ Sport and Community Recreation Training Package – Attachment 'E'

³² Witness Statement of Ross Gage – Attachment 'A' – paragraphs – 3.4, 3.4.1, 3.4.2, 3.4.3, 7.2, 7.2.1

³³ Witness Statement of Julia Ham – Attachment 'B' – paragraphs 3, 3.1, 3.2, 3.3

- 8.4.5 The development, review, and implementation of the National Training Package, relating to the Fitness Industry, is an ongoing process; therefore the 4 yearly review is an ideal opportunity to update the references relating to the levels in Schedule A of the Exposure draft.
- 8.4.6 Given the importance of water safety skills and training delivery detailed in paragraphs 6.6 & 6.7 of these submissions a strong 'public interest' case is argued in favour of amending Schedule A, in terms detailed in paragraph 4, above;
- 8.4.7 Given that none of the points of change disrupt in any way the internal relativities of the current Award, the cost impact is neutral, and therefore consistent with (g) of the Modern Award Objectives;
- 8.4.71 Further, in seeking to stream-line /simplify the structure it is intended to both relieve regulatory burden(f) and underpin a 'stable' (pertinent) Modern Award (g).

9. CONCLUSION

- 9.1 In detailing its agenda , the ASSA seeks to stress that flexibility of delivery is an essential element in the successful the enhancement of Australia's Water Safety Culture (paragraphs 4 &5 of Attachment 'B');
- 9.2 In all aspects, the amendments sought either directly or indirectly go to "*the need to promote flexible modern work practices and the efficient and productive performance of work*", in Swim Schools and allied operations. To discount or ignore the submissions made by ASSA, potentially puts at risk the lives of Young and Senior Australians.
- 9.3 It is therefore in the public interest that all points addressed here be incorporated in a new, 2015, Fitness Industry Award.

If the Commission pleases.

34 Witness Statement of Julia Ham – Attachment 'B' – paragraphs – 4: 5.

BEFORE THE FAIR WORK COMMISSION

Fair Work Act 2009 (Cth)

4 yearly review of modern awards

**Fitness Industry Award 2010
(AM2014/227)**

WITNESS STATEMENT OF ROSS GAGE

I, Ross Gage of [REDACTED] Queensland, CEO of the Australian Swim Schools Association Ltd, state as follows:

1. I am the foundation C.E.O of Australian Swim Schools Association Ltd, which came into operation on 4th May 2016;
 - 1.1 Prior to that I was the C.E.O of Aussie Aquatics Pty Ltd t/a Swim Australia, between 2002 and 2016, and C.E.O of the Australian Swim Coaches and Teachers Association Ltd (ASCTA) between July 2009 and June 2016;
 - 1.2 Concurrently, between 1984 and 2014, I was the proprietor of Westside Swimming a Brisbane based Swim School. During which time I employed staff under the provisions of the Fitness Industry Award and its predecessor the *'Health and Fitness Centres, Swim Schools and Indoor Sports Award – State (Qld) 2005'* [AN 140 142].
 - 1.3 This statement relates only to the impact of the operation of the Fitness Industry Award 2010 in relation to Swim Teachers, and their Assistants & associated staff, engaged in the operation of Swim Schools.
2. **An overview of Australian Swim Schools Association Ltd (ASSA)** is as follows:
 - 2.1 The Swim School Sector is comprised of approximately one thousand, five hundred sites operating throughout Australia, these range from Private Enterprises through to Municipal Council operated aquatic venues, and State Government owned and operated multi-purpose venues (e.g; State Sports Centre, Melbourne).
 - 2.2 Excluding Municipal Council operated sites, approximately 15,000 Swimming and Water Safety Teachers and Support Staff are employed nationally, with the greater proportion being engaged under the terms and conditions of the Fitness Industry Award 2010; only a small minority are employed under the terms of Enterprise Agreements, usually underpinned by the Fitness industry Award.
 - 2.3 ASSA is a member-based organisation, representing approximately a quarter of Swim School Operators, nationally, who in turn would deliver a third of swim 'classes' (excluding separate lessons 'publicly' delivered by the likes of Education Department Schools and State Government 'Summer Vacation' programs). Additionally, the Association regularly engages with its "Network" (that includes both member & non-member

operators) of Swims Schools, which number in excess of 1,100 sites Nationally.

- 2.4 ASSA is extensively involved with industry development, working with various Departments and Agencies on matters pertaining to swimming, water safety and health concerns (e.g; childhood obesity); and with State and Local Governments on such matters as pool access and service delivery standards. By way of example;
- 2.4.1 ASSA is committed to playing a significant role in reducing drownings – which remain a national tragedy – as evidenced by the Royal Lifesaving Society's recently released '*National Drowning Report*' which showed that 280 people died from drowning in Australian Waterways during 2015/16. This included 21 under the age of five years. The Report is attached.
- 2.4.2 As the peak industry body for swim schools the ASSA network is uniquely placed to influence behaviours, above and beyond their core purpose of teaching swimming and water safety skills.
- 2.4.3 Through the ASSAs' 'Water Safety Committee' the '*No Drown Towns*' Program (attached) recently began with the central purpose of making significant contributions to enhancing the water environments of homes, pools and waterways. Its objectives are as follows:
- 2.4.3.1 to encourage personal action while linking many aspects of the community;
- 2.4.3.2 to show that our personal decisions can ultimately impact our local community;
- 2.4.3.3 to ensure that national outcomes will be best achieved through collective efforts. To drive the resolution of the '*No Drown Towns*' mandate requires the deployment of appropriately qualified and remunerated water safety professionals.
- 2.5 All ASSA, for private sector and not for profit (excluding Local Government sites), member organisations are covered by the Fitness Industry Award.
- 2.5.1 Matters raised during the Award Review process reflect the outcomes of consultations from within and outside the membership of the Association, as a significant product of the networking process referred to in 2.3, above;
- 2.5.2 The focus being on maintaining and enhancing the professional standards of the Sector, whilst concurrently, enabling both profitability to operators and affordability to clients (predominately families with pre and school-age children).

3. Nature of the Swim School Sector

Based on my knowledge and experience of the Sector, I estimate that up to eighty percent of the workforce engaged in activities covered by the Fitness Industry Award 2010 are employed either by the hour as casuals or as permanent part-time or fixed-term (seasonal) employees.

- 3.1 Swim Teachers and their assistants are engaged to deliver swim lessons, aqua aerobic classes and or water safety classes of short duration involving less than one and a half hours of set-up and delivery time. Individuals are frequently engaged to deliver multiple lessons a day (in the

- order of 2- 4, during peak periods, which usually coincide with school holidays and or weekends);
- 3.2 It is not unusual to find individuals rostered to work across operational units (e.g.; on the front desk/reception and doing pool maintenance; or as life guards and swim teachers). This may be on the basis of separate engagements or during a rostered shift;
 - 3.3 The overwhelming majority of Swim Teachers, and their assistants and Coaches, and their assistants, are engaged between the levels of 2 & 5, as they currently appear in Schedule B of the 2010 Award;
 - 3.4 It is vital to the process of teaching and enhancing water safety knowledge and skills that a high trust relationship is established between the practitioner, parents and pupils. Central to establishing this report is the client/carer's confidence in the expertise of the person delivering the program.
 - 3.4.1 There is a constant need to monitor performance of individuals against industry recognised benchmarks and to ensure that all relevant accreditations are current;
 - 3.4.2 The award classification structure is therefore an important element to the continued confidence of the community in the performance of individual teachers & coaches, and swim schools and the Sector as a whole;
 - 3.4.3 The Sector has a history of regularly reviewing and updating training needs and accreditations to maintain world's best practice.
 4. Many, if not the majority, of Swim School Operators do not have in-house resources dedicated to human resource management;
 - 4.1 Further, in my immediate experience, aside from the larger chains/conglomerates, Swim School proprietors do not have affiliation with major Employer Representative Organisations to have access to workplace relations advice.
 - 4.2 ASSA provides limited award and allied advice to member organisations.
 5. In my experience the major cost inputs associated with Swim School operation, aside from the lease of premises, are:
 - Power & water (15%)
 - Consumables including chemicals (10%)
 - Labour and associated costs and levies (60%).
 - 5.1 The provision of water safety education is an essential outlay, as demonstrated in the recent spike in drownings across the Nation;
 - 5.2 Any additional costs will adversely affect families' capacity to provide water safety training to their children.
 6. **History of ASSA/ASCTA Involvement** in the roles I performed identified in paragraph 1 of this statement, I had cause to initiate actions relating to:
 - The creation, in the Industrial Relations Commission of Queensland of the '*Health and Fitness Centres, Swim Schools and Indoor Sports Award – State 2005*' [AN 140 142];
 - Leading up to the making of the '*Fitness Industry Award 2010*' , ASCTA/Swim Australia was an active participant with other interested parties and made submissions to SDP Acton in regard to the Exposure Draft of the Award (Matter AM2010/64);

- The making of an application pursuant to sections 157 & 160 of the Fair Work Act 2009, to vary the 'Fitness Industry Award 2010', in relation to the classification descriptors in Schedule B, dealt with by DP Watson (AM 2010/81);
- The 2012 Review of the 'Fitness Industry Award 2010', conducted by D.P. Hamilton, (Matters AM2012/28 & AM 2012/230 particularly as it related to "all-up" casual hourly rates, and incorporation of new roles of Lifeguard & Senior Life Guard in schedule 'B' of the Award in June 2012 ;
- The making of written submissions to DP Hamilton in relation to the phasing in of new classifications and rates of pay for levels 3a & 4a, in October 2012 (Matters AM2012/28 & AM 2012/230);

6.1 Between December 2015 and the present, I have ensured representation before the Commission, and the making of verbal & written submissions, in all matters pertaining to the 4 yearly Review of the current 'Fitness Industry Award 2010';

6.2 The Association has developed its submissions after consultation with other employer associations, sporting bodies (and their representatives) and the AWU.

7. Changes sought to 2010 Award - The development of the 'Fitness Industry Award 2010' took into consideration a number of pre-existing state awards many of which did not contain terminologies used in the Swim School Sector, nor reflected competency-based classification structures based on the relevant National Training packages. The ASSA's contention is that the current award clearly does not reflect the actual nature of the Swim School Sector and the work it performs.

7.1 There is ambiguity as to the operation of the award, either to Swim Schools generally, or to sections of the workforce engaged on-site by Swim School operators, particularly in regard to support staff. The amendment to sub-clause 3.4 (Coverage), in the 29th July, 2016, Exposure draft would give certainty to operators as to their award-based obligations;

7.1.1 Concurrently, the incorporation into Schedule G – Definitions of a definition for 'centres', would re-enforce the award coverage, through addressing an oversight (deficiency) of the 2010 Award, gained as a result of the amending of sub-clause 3.4.

7.2 Both the current award and the July 2016 Exposure draft fail to address changes in terminology arising from the most recent review of the National Training Package for the Fitness Industry. This has caused confusion and has the potential to lead to the misclassification of individuals and therefore incorrect payment;

7.2.1 Uncertainty prevails on how the interaction of formal qualifications, relevant industry experience, level of supervision and responsibility are to be used to properly classify individuals within the current classification levels. The amendments sought to Schedule 'A' of the Exposure draft reflect the views of the operators on how best to implement progression through the classification levels on a fair, equitable and easily understood basis.

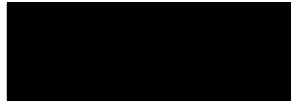
7.3 The heavy reliance upon non-fulltime employees, described in paragraph 3, above, makes an economic imperative to gaining pro-rata (hourly or daily) payment of the allowances appearing in sub-clauses 7.3, 11.1 & Schedule 'C' of the exposure draft. To leave 'weekly' amounts as currently drafted would put a

heavy burden on the cost of delivering water safety education, with the foreseeable consequences of increasing cost imposts on families with children. 7.4 In addressing matters relating to overtime and split shift allowances, in as far as they impact on the engagement of casuals within the Swim School Sector – the hours and pattern of work arrangements I detailed in 3.2 & 3.3 above, reflect longstanding custom in this Sector; and have not been assumed to give rise to obligation for the payment of overtime or allowances, either under the previous state awards or the current 2010 Modern Award. Therefore, on behalf of the ASSA Membership, I wish to strongly express the view that no additional economic burden should be, created under the terms and conditions of a successor Award, which cannot be offset without commensurate improvements in productivity or efficiency. Therefore, the balance of the Exposure draft of July 216, as circulated to interested parties, is supported.

I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the *Statutory Declarations Act 1959*, and I believe that the statements in this declaration are true in every particular.

Signature of person making the declaration

Signature



Declared at (place)

Kenmore

on (day) of (month)
(year)

13 January 2017

Before me,

Signature of person before whom the declaration is made

Blean



Full name of person before whom declaration is made

Brian Michael Pearce JP (Qual)

Qualification of person before whom declaration is made

c/- Queensland Justices Association

751 Stanley Street
Woolloongabba QLD 4102



Address of person before whom declaration is made

Ph:- 07 3392 2455

Suburb

State or territory

Postcode

Phone number



BEFORE THE FAIR WORK COMMISSION

Fair Work Act 2009 (Cth)

4 yearly review of modern awards

**Fitness Industry Award 2010
(AM2014/227)**

WITNESS STATEMENT OF JULIA HAM

I, Julia Ham, of 943 Wynnum Road, Cannon Hill, Queensland, 4170, state as follows:

1. I am the Director of Hampton Swim School Pty Ltd (ABN: 590 701 727 44) and Tumbleastics Pty Ltd (A.C.N: 145 675 501);
 - 1.1 The Hampton Swim School has operated since 1999;
 - 1.2 Since 2012 the business has operated under the terms of Enterprise Agreements, made in accordance with the Fair Work Act 2009. The Agreements have been underpinned by the Fitness Industry Award 2010;
 - 1.2.1 The classification descriptors contained in the Agreements closely follow those contained in the Award;
 - 1.3 This statement relates only to the impact of the operation of the Fitness Industry Award 2010 in relation to Swim Teachers, and their Assistants & associated staff, engaged in the operation of Swim Schools;
 - 1.4 Given my experience in the Sector, I would characterise my organisation as a 'medium sized' swim school, operated on a for profit basis, with 20 employees, 2 being regular casuals;
 - 1.5 Whilst my company does employ a dedicated part-time Human Resources /Training Manager across both businesses, this circumstance is rare in similar sized organisations.
2. I am aware that the Australian Swim Schools Association Ltd (ASSA) are seeking to amend certain terms of the Fitness Industry Award 2010, as part of the 4 yearly review process;
 - 2.1 I have perused and considered the submissions lodged on behalf of ASSA, by HMT Consulting;
 - 2.2 I have read and considered the contents of a Witness Statement , tendered in these proceedings by Ross Gage, as CEO of the ASSA;
 - 2.3 I concur with Mr Gage's statements in full and support the variations being made in terms of the submissions tendered by ASSA.
3. Concurrently, it is my experience that due to the high level of casual employment in the Swim School Sector, there is a steady turnover of personnel (including new entrants or individuals returning to resume their careers after parenting absence, as well as teachers and coaches migrating to Australia, and seeking to re-establish their careers);
 - 3.1 The need to be regularly recruiting new team members places emphasis on ensuring that only persons with appropriate qualifications & relevant industry experience are engaged;
 - 3.2 In my view the current classification structure, with its dual requirements of formal qualifications and or industry experience, makes it difficult to

ensure that recruits can be placed in positions of responsibility, within a reasonable period.


- 3.3 This problem with ambiguity is shared by other operators that I am in regular contact with.
4. Central to the successful delivery of swim lessons, particularly in regard to youngsters, is the ability to ensure that the student is under the tutorage of the same team member, over the course of lessons. Therefore, flexibility in rostering is essential, guaranteeing a high quality and consistency of water safety education.
 5. Excessive workload, in relation to Teachers & Coaches, does not arise due to the small number of pupils involved at any time, the short duration of classes, and the relative short period of availability students, particularly of school aged children over any one day – Monday to Friday.
 6. In my experience, Swim Schools are not usually operating on Sundays or Public Holidays (there being some deviation from this, in major population centres, particularly in operations which are part of an 'aquatic centre' or 'sporting complex').

I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the *Statutory Declarations Act 1959*, and I believe that the statements in this declaration are true in every particular.

Signature of person making the declaration

| | |
|----------------------------|-------------------------------|
| Signature | [Redacted] |
| Declared at (place) | [Redacted] |
| on (day) of (month) (year) | 11 th January 2017 |

Before me,

| | | | |
|---|--|----------|------|
| Signature of person before whom the declaration is made |  | | |
| Full name of person before whom declaration is made | PETER XAVIER CALLANAN | | |
| Qualification of person before whom declaration is made | COMMISSIONER FOR DECLARATIONS | | |
| Address of person before whom declaration is made | 41- HAM BROTHERS PL 943 WYNATUM ROAD CANNON HILL 4170 | | |
| Suburb | CANNON HILL | | |
| State or territory | QLD | Postcode | 4170 |
| Phone number | 07 33956000 | | |





ROYAL LIFE SAVING NATIONAL DROWNING REPORT 2016



280

PEOPLE DROWNED IN
AUSTRALIAN WATERWAYS

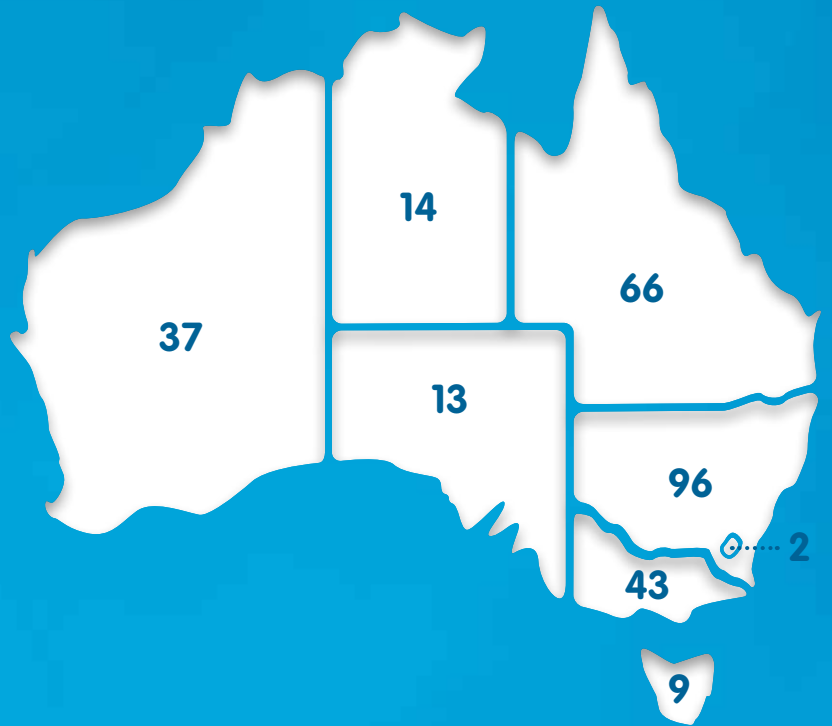


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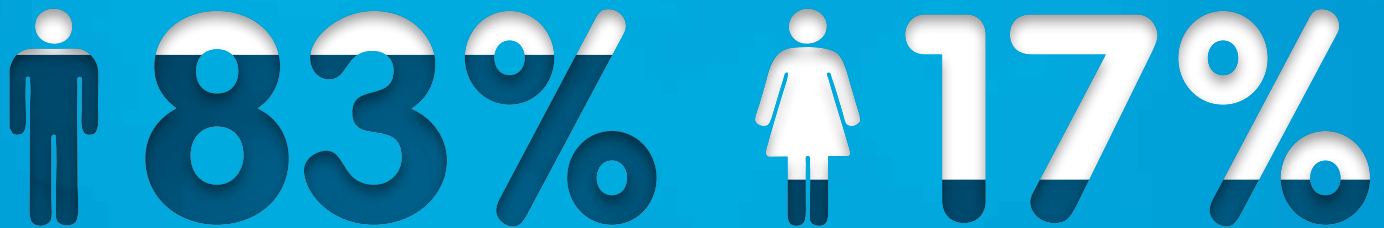
280

PEOPLE DROWNED IN
AUSTRALIAN WATERWAYS
1 JULY 2015 TO 30 JUNE 2016



TOP 3 LOCATIONS

- 23% BEACHES
- 21% RIVER/CREEK/STREAM
- 19% OCEAN/HARBOUR



TOP 3 ACTIVITIES



26%
SWIMMING &
RECREATING



16%
BOATING



14%
FALLS INTO
WATER

HELP MAKE YOUR COMMUNITY FREE FROM DROWNING



WEAR A
LIFEJACKET



SUPERVISE
CHILDREN



LEARN CPR
AND FIRST AID



AVOID ALCOHOL
AROUND WATER



LEARN
LIFESAVING SKILLS

FOREWARD

We are pleased to present the Royal Life Saving National Drowning Report 2016. In urging you to study this report and to take action to reduce drowning, we wish to reinforce the following seven points;

People and Families, not Cases or Data

This is a report filled with the stories of real people impacted in a most tragic way by drowning. It includes people who lost their lives to drowning, the families they left behind, the rescuers who made valiant efforts to save their lives, and the communities that are reminded as they pass the causeway, swimming pool, rock platform, beach or river swimming holes. We share their anguish.

Non-fatal Drowning

Last year we highlighted that drowning has two outcomes, fatal and non-fatal. Those who survive a drowning incident, often do so while suffering from an array of lifelong health impacts. In some cases these impacts lead to premature death.

In the past year we have added non-fatal drowning as a key issue to the Australian Water Safety Strategy, and commenced research to build our awareness and understanding of the impacts of non-fatal drowning. In coming years we hope to identify and report on our actions in response to this challenge.

Respect the River

In October 2015, on the banks of the Murray River, Albury, the Hon. Sussan Ley MP, Minister for Health and Aged Care, Minister for Sport helped us launch the Respect the River campaign, which reinforces the need to increase the focus on prevention in regional areas, along our major rivers and in remote Australia. Community responses have been tremendous and early signs are positive.

Swimming and Water Safety Skills

We continue to commit to the notion that all Australian children have the right to a comprehensive swimming and water safety education.

The skills of swimming, survival swimming, and basic rescue are all life savers, yet we know that there are many barriers; cost, distance, awareness, and acceptance for communities most at risk of drowning. We continue to benchmark skills, strengthen partnerships, and build Swim and Survive equity programs to provide more children with these lifelong skills.

Strengthening Partnerships

This year's Royal Life Saving National Drowning Report is the 22nd iteration. It is our most rigorous and comprehensive analysis to date. The National Fatal Drowning Database now stretches back 14 years, and almost 4,000 cases. Partnerships with others are critical to its value in prevention terms. Coroners, Federal, State and Local Governments, Institutions and other industry bodies have used the dataset to inform the development of drowning prevention policy.

Global Drowning Prevention

Australia has relatively low drowning rates compared with other nations in our region. Over the past year we have supported the implementation of the WHO Global Report on Drowning, researched drowning impacts in nations like Kiribati, Cambodia and Vietnam and assisted in the hosting of the ILS World Conference on Drowning Prevention 2015 in Malaysia. We continue to support the International Drowning Research Centre – Bangladesh and their latest program as part of Grand Challenges Canada with the University of British Columbia. Why is this important? It's simple, it makes us better lifesavers, more effective here and abroad.

Australian Water Safety Strategy 2016-2020

The Australian Water Safety Council launched the latest Australian Water Safety Strategy 2016-2020 in April 2016. It is the result of the most comprehensive analysis and consultation yet. It will guide much of what we, and others do in coming years in an effort to reduce drowning by 50% by 2020.

This report serves as an important reminder to all Australians of the risks associated with visiting our beautiful waterways, rivers, beaches, and community and backyard swimming pools. I urge you to share the messages of the report, infographics, prevention tips and supporting resources provided by Royal Life Saving to help us reduce drowning in Australia.

Justin Scarr

Chief Executive Officer, Royal Life Saving Society - Australia

“THIS IS A REPORT FILLED WITH THE STORIES OF REAL PEOPLE IMPACTED IN A MOST TRAGIC WAY BY DROWNING.”

DROWNING DEATHS IN 2015/16

There were 280 drowning deaths in Australian waterways between 1 July 2015 and 30 June 2016. The number of people drowning has increased this year but remains lower than the 10 year average.

This year's figure of 280 drowning deaths is an increase of 13 drowning deaths (or 5%) on the 267 drowning deaths recorded in 2014/15. However, this is a reduction of 2 deaths on the 10 year average of 282 drowning deaths.

The crude drowning rate in 2015/16 is 1.18 per 100,000 population. This compares favourably to the 10 year average drowning rate of 1.27 drowning deaths per 100,000 population (Figure 1).

Trends over time: Fatal drowning in Australia

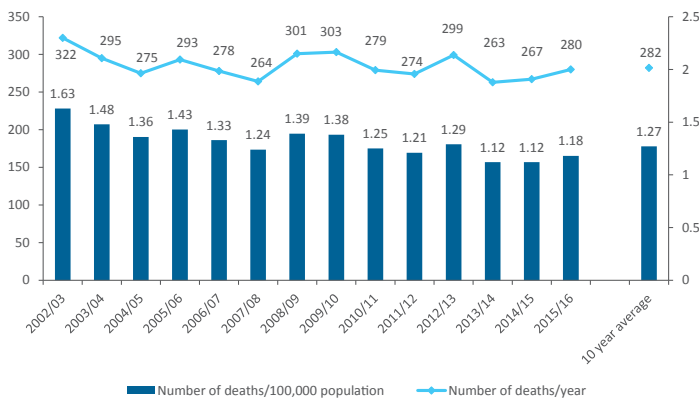


Figure 1: Unintentional Drowning Deaths and Death Rates, Australia 2002/03 to 2015/16, 10 Year Average

280

PEOPLE DROWNED IN AUSTRALIAN WATERWAYS 1 JULY 2015 TO 30 JUNE 2016

CASE STUDY: AUSTRALIAN WATER SAFETY STRATEGY 2016-2020

The Australian Water Safety Strategy 2016-2020 was launched by the Hon. Sussan Ley MP, Minister for Health and Aged Care, Minister for Sport, in conjunction with the Australian Water Safety Council (AWSC).

The AWSC is a collective voice for Australia's leading water safety organisations, utilising a collaborative approach to ensure continued commitment to drowning prevention in Australia.

This document continues the work of previous strategies in recommitting to the AWSC's goal of reducing drowning deaths by 50% by the year 2020. It outlines priority areas in which Australian peak water safety bodies Royal Life Saving, Surf Life Saving and AUSTSWIM, AWSC Members and Federal, State/Territory and Local Governments must work together to prevent drowning.

The strategy identifies the supporting activities, or 'Drowning Prevention Pillars', which will play a key role in the achievement of the strategy's goals.

Drowning Prevention Pillars

- Advocacy
- Research
- Collaboration
- Safe Venues
- Workforce
- Policy
- Education

Image: Launch of the Australian Water Safety Strategy 2016-2020, from left to right: Jennifer Schembri-Portelli, AUSTSWIM CEO; Luke Hartsuyker MP; Hon. Sussan Ley MP, Minister for Health and Aged Care, Minister for Sport; Melissa King, Surf Life Saving Australia CEO; Justin Scarr, Royal Life Saving Society – Australia CEO

GOALS OF THE AUSTRALIAN WATER SAFETY STRATEGY 2016-2020

Reduce drowning deaths by 50% by 2020

PRIORITY AREA ONE - TAKING A LIFE STAGES APPROACH



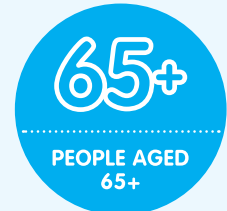
GOAL 1



GOAL 2



GOAL 3



GOAL 4

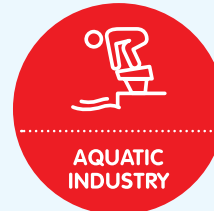
PRIORITY AREA TWO - TARGETING HIGH-RISK LOCATIONS



GOAL 5



GOAL 6



GOAL 7

PRIORITY AREA THREE - FOCUSING ON KEY DROWNING CHALLENGES



GOAL 8



GOAL 9



GOAL 10



GOAL 11



Watch our video on the
Australian Water Safety Strategy:
[youtube.com/RoyalLifeSavingAust](https://www.youtube.com/RoyalLifeSavingAust)

WHO DROWNS?

Of the 280 people who drowned, 83% were male. New South Wales recorded the highest number of drowning deaths with 96 (34%). This was followed by Queensland with 66 (24%) drowning deaths, Victoria with 43 (15%) and Western Australia with 37 (13%) (Figure 2).

When calculated as rates per 100,000 population over a 10 year period (2005/06-2014/15), Northern Territory (NT) recorded the highest rate of drowning in Australia at 3.88 per 100,000 population (10 year average). Tasmania (TAS) recorded the second highest rate at 2.11 drowning deaths per 100,000 population (10 year average). The Australian Capital Territory (ACT) had the lowest rate of drowning in Australia with 0.44 drowning deaths per 100,000 population (10 year average) (Figure 3).

The average age of those who drowned was 43.1 years, with the average age of females slightly lower than males (41.5 years for females and 43.4 years for males).

The largest number of drowning deaths occurred among people aged 25-34 years, with the age group recording a 27% increase against the 10 year average and accounting for 19% of all deaths in 2015/16. The 35-44 years age group recorded the second highest number of drowning deaths at 41 (15%), which was an increase of 11% against the 10 year average.

The number of children aged 0-4 years who drowned decreased by 30% against the 10 year average of 30 drowning deaths, with a decrease of 38% against the 10 year average recorded for children aged 5-9 years (Figure 4).

NSW recorded the highest number of drowning deaths in 2015/16

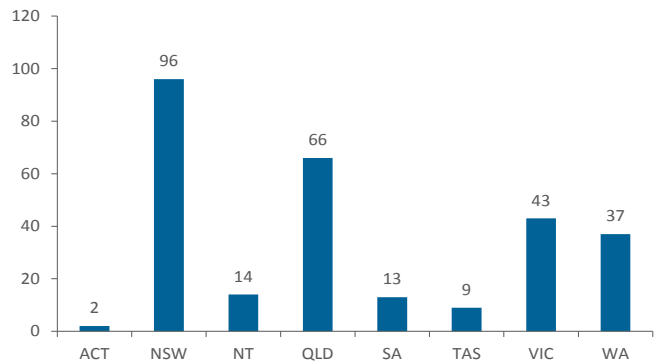


Figure 2: Drowning deaths by State, 2015/16

Northern Territory recorded the highest 10 year average drowning rate in Australia at 3.88 drowning deaths per 100,000 population

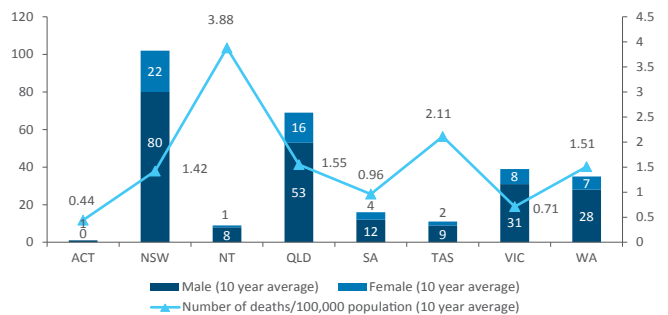


Figure 3: Drowning Deaths by Sex and State / Territory, Drowning Death Rates, 10 year average

The 0-4 years age group recorded a 30% decrease against the 10 year average

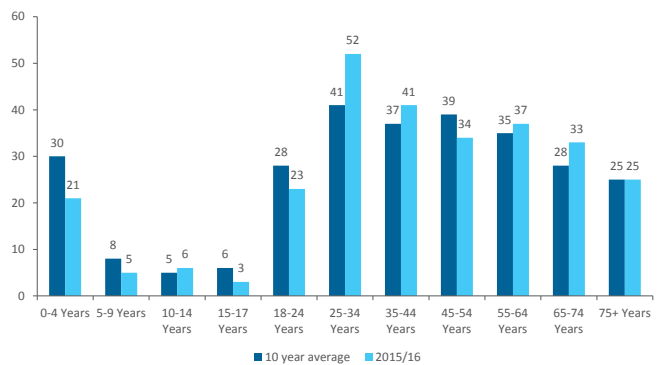


Figure 4: Drowning Deaths by Age Group, 10 Year Average, 2015/16

34%

**OF ALL DROWNING DEATHS
IN 2015/16 OCCURRED IN
NEW SOUTH WALES**



CASE STUDY: **REMOTE ABORIGINAL SWIMMING POOLS**

The Remote Aboriginal Swimming Pool program in Western Australia is designed to increase Aboriginal participation in aquatic activities in remote locations, while achieving improvements in the areas of health, education and employment. There are six pools within the program, each located within a remote area. To ensure the needs of the local community are met, community consultation and engagement is ongoing, with targeted programs implemented at each pool.

In order to evaluate the program, feedback was gathered from the community, as well as school aged children. Identified benefits of the program included:

- Community participation – Community engagement was fostered through the relationship between the pool manager and patrons, creation of local employment and strategies to encourage parents to attend with their children to supervise them in the water. Additionally, free entry, flexible opening hours and targeted programs enabled widespread access and usage
- Health benefits – Community members stated the occurrence of ear and skin infections increased during the months that the pool was closed, while also noting benefits regarding the promotion of physical activity and safe swimming practices
- Improved skills – Aboriginal children are overrepresented in drowning data in Western Australia, highlighting the importance of delivering swimming and water safety programs in these communities within a safe and controlled environment
- Social benefits – Prevention of crime, improved social cohesion and the promotion of good behaviour were also reported, with the pools acting as a social hub and gathering place for all members of the community



CASE STUDY: FOR LIFE'S SAKE - THE DANGERS OF DRIVING THROUGH FLOODWATER

A study was conducted to explore the reasons why people drive through floodwater. In partnership with Griffith University, 20 drivers were interviewed to understand the motivation behind the decision, as well as people's experiences of the actual event. A number of common themes emerged, including:

- Past experience – People who had driven through floodwater in the past believed they had the skills and experience to do it again
- Situations perceived as different to warnings – Drivers commonly viewed the situation they found themselves in as different to warnings they had seen, or disagreed on what constituted a flooded road
- Pressure to arrive at a destination – Whether they needed to get home to check on the welfare of family members and pets or get to work on time, people reported time pressures pushing them to proceed
- Social influences – Some drivers felt pressure from other motorists to continue, especially if they had watched others drive through successfully, while others reported their passengers urged them to drive through
- Environmental conditions – Drivers indicated they considered the speed at which the water was moving and its depth but explanations of how they would assess such factors were often limited
- Vehicle capabilities – Drivers often perceived four wheel drives or diesel powered vehicles to be capable of driving through floodwater, even if they had no prior experience of this

A Community Grant from NRMA Insurance allowed the development of a video infographic highlighting the dangers of driving through floodwater.

It was designed to show the consequences of choosing to drive through a flooded road, demonstrating that the social impacts extend far beyond the driver of the vehicle, with impacts on passengers, family and rescuers.



Watch For Life's Sake - The Dangers of Driving through Floodwater:
[youtube.com/RoyalLifeSavingAust](https://www.youtube.com/RoyalLifeSavingAust)

WHEN DO THESE DROWNING DEATHS OCCUR?

Drowning deaths occur throughout the year; during all seasons, days of the week and times of the day.

The highest number of drowning deaths occurred in summer (101 deaths), followed by spring (63 deaths), winter (59 deaths) and autumn (57 deaths) (Figure 5). January was the month with the highest number of drowning deaths (40) (Figure 6).

The highest number of drowning deaths occurred on Sundays, which accounted for a quarter of all deaths (69 deaths). Monday was the day of the week that recorded the lowest number of drowning deaths (29 deaths) (Figure 7).

Drowning deaths most commonly occurred in the afternoon (between 12:01pm and 6pm), with 127 deaths (45%) recorded, followed by the morning (between 6:01am and 12pm), with 66 deaths (24%). The time of drowning was unknown in 14 cases (5%) (Figure 8).

Drowning deaths in Australia occur year round but peak in January

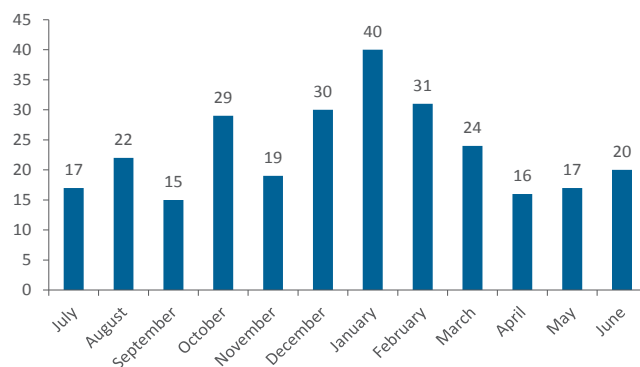


Figure 6: Drowning Deaths by Month of Incident, 2015/16

Sundays were the most common day for drowning deaths in 2015/16

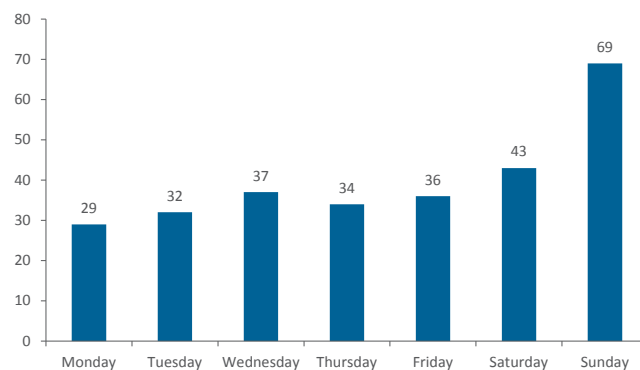


Figure 7: Drowning Deaths by Day of the Week of Incident, 2015/16

More than a third of drowning deaths occur in summer

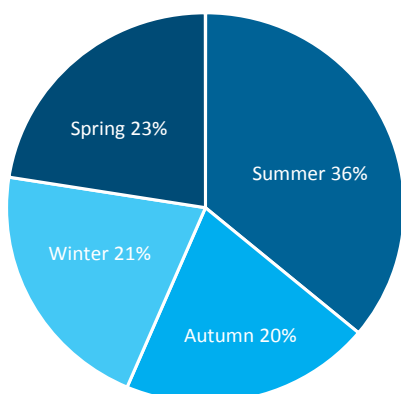


Figure 5: Drowning Deaths by Season, 2015/16

Almost half of all drowning deaths in 2015/16 occurred in the afternoon

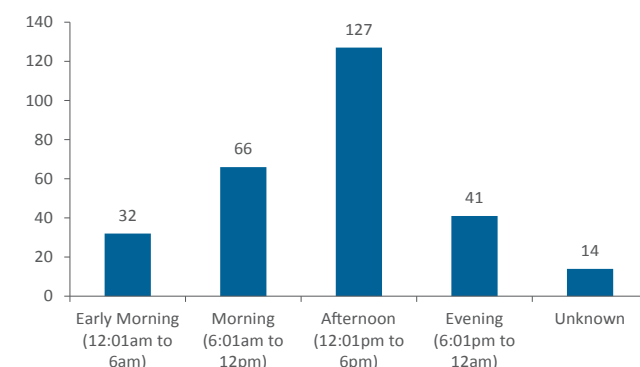


Figure 8: Drowning Deaths by Time of Incident Categories, 2015/16

WHERE AND HOW DO THESE DROWNING DEATHS OCCUR?

The number of people drowning in rivers, creeks and streams has decreased, with 58 deaths (21%) recorded this year. This is a decrease of 19 deaths (or 25%) on the 10 year average.

Beaches were the location with the highest number of drowning deaths in 2015/16 with 63 deaths (23%). This is an increase of 16 deaths (or 34%) on the 10 year average. Ocean / harbour locations and swimming pools both recorded increases against the 10 year average, with 53 (19%) people drowning in an ocean or harbour and 45 (16%) drowning in swimming pools in 2015/16 (Figure 9).

More than one quarter (26%) of people were swimming and recreating immediately prior to drowning (74 deaths). A further 46 people (16%) were boating prior to drowning, while 39 people (14%) fell into water. The activity prior to drowning was unknown in 21 cases (8%), indicating there were a number of people who were alone when they drowned and the incident was not witnessed (Figure 10).

Drowning deaths in rivers, creeks and streams have decreased by 25% against the 10 year average

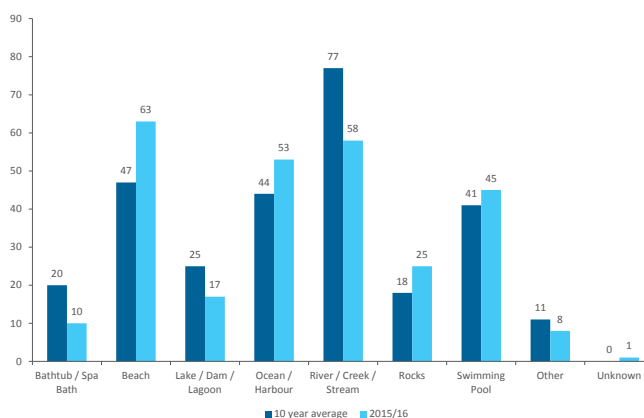


Figure 9: Drowning Deaths by Location, 2015/16

Swimming and recreating leads a diverse range of activities prior to drowning in Australia

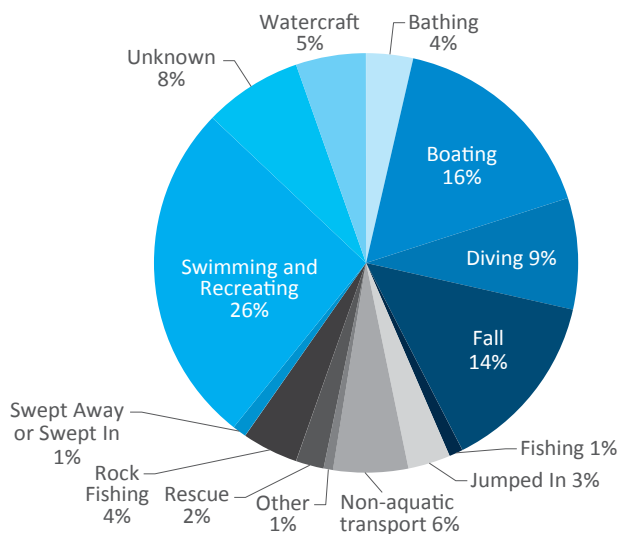


Figure 10: Drowning Deaths by Activity Immediately Prior to Drowning, 2015/16

26%

OF PEOPLE WHO DROWNED IN 2015/16 WERE SWIMMING AND RECREATING

63

DROWNING DEATHS AT BEACHES

58

DROWNING DEATHS IN RIVERS/CREEKS/STREAMS

53

DROWNING DEATHS IN OCEAN/HARBOUR LOCATIONS

45

DROWNING DEATHS IN SWIMMING POOLS

CASE STUDY: VISITS TO RIVER ENVIRONMENTS

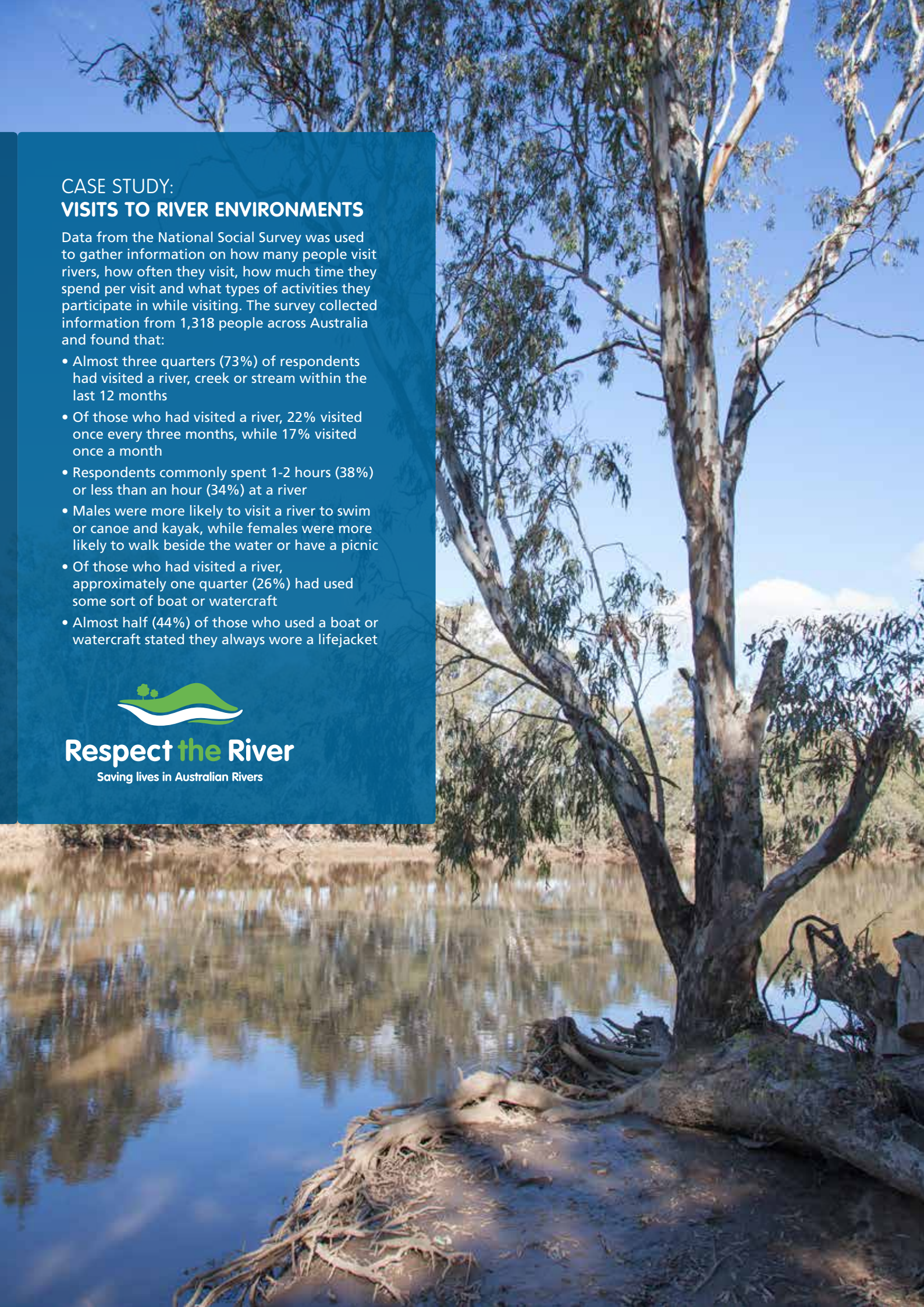
Data from the National Social Survey was used to gather information on how many people visit rivers, how often they visit, how much time they spend per visit and what types of activities they participate in while visiting. The survey collected information from 1,318 people across Australia and found that:

- Almost three quarters (73%) of respondents had visited a river, creek or stream within the last 12 months
- Of those who had visited a river, 22% visited once every three months, while 17% visited once a month
- Respondents commonly spent 1-2 hours (38%) or less than an hour (34%) at a river
- Males were more likely to visit a river to swim or canoe and kayak, while females were more likely to walk beside the water or have a picnic
- Of those who had visited a river, approximately one quarter (26%) had used some sort of boat or watercraft
- Almost half (44%) of those who used a boat or watercraft stated they always wore a lifejacket



Respect the River

Saving lives in Australian Rivers





There were 75 drowning deaths in inland waterways (rivers, creeks, streams, lakes, dams and lagoons) in Australia between 1 July 2015 and 30 June 2016. Of these, 58 occurred in rivers, creeks or streams and 17 occurred in lakes, dams or lagoons.

The 75 drowning deaths in 2015/16 is a reduction of 27 drowning deaths (or 26%) on the 10 year average of 102 drowning deaths (Figure 11). Males accounted for 88% of all drowning deaths in inland waterways in 2015/16. The 25-34 years age group recorded an increase on the 10 year average, while all other age groups either remained steady or decreased. The number of people aged 25-34 years drowning in inland waterways increased by 20% against the 10 year average of 15 deaths. The 18-24 years and 75 years and over age groups recorded significant decreases (45%) against the 10 year averages (Figure 12). When examining inland waterway drowning deaths by State and Territory, Northern Territory was the only jurisdiction to record an increase against the 10 year average, with all other States and Territories either remaining steady or decreasing (Figure 13).

Swimming and recreating was the most common activity being undertaken prior to drowning in inland waterways in 2015/16, accounting for 21% of all deaths. Boating recorded an increase of 30% on the 10 year average of 10 drowning deaths, with all other activities either remaining steady or decreasing (Figure 14).

Inland waterways continue to be the leading location for drowning in Australia. Through support from the Federal Government, Royal Life Saving is working to reduce these figures through community driven drowning prevention initiatives at Australia's river drowning blackspots. Now in its third year, the Respect the River program aims to raise awareness of the hazards at rivers, encouraging people to 'respect' this environment and ensure they are able to visit and enjoy these locations safely.

Drowning deaths in inland waterways record a 26% decrease against the 10 year average

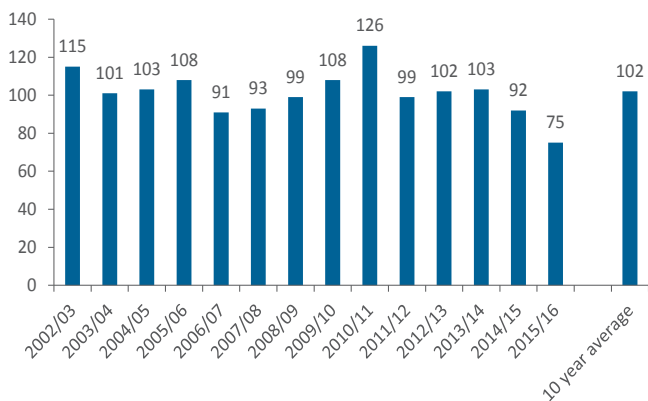


Figure 11: Inland Waterway Drowning Deaths by Age Group, 10 Year Average, 2015/16

Drowning deaths in inland waterways have decreased in people aged 35 years and over

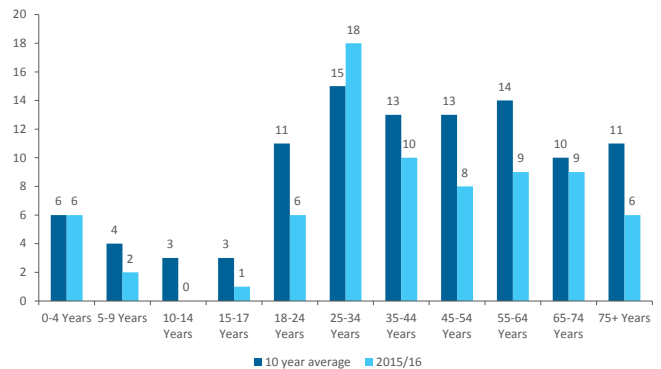


Figure 12: Inland Waterway Drowning Deaths 2002/03 to 2015/16, 10 Year Average

Inland waterway drowning deaths in New South Wales have decreased by 41% against the 10 year average

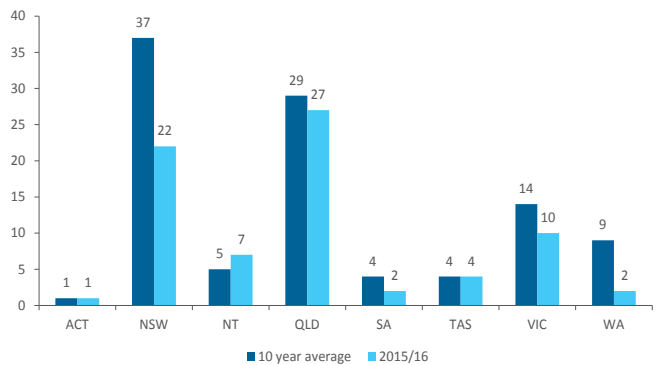


Figure 13: Inland Waterway Drowning Deaths by State / Territory, 10 Year Average

Boating was the only activity to record an increase against the 10 year average

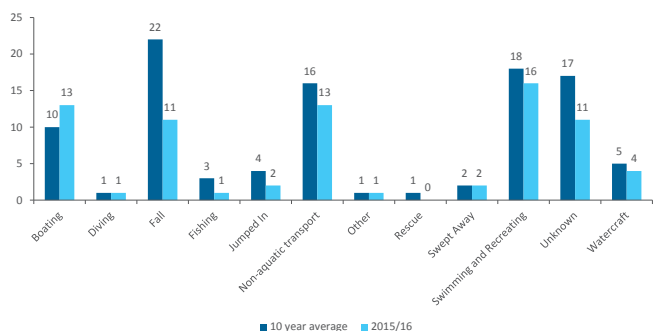


Figure 14: Inland Waterway Drowning Deaths by Activity Immediately Prior, 10 Year Average, 2015/16

There were 63 drowning deaths at beaches in Australia between 1 July 2015 and 30 June 2016. This figure is an increase of 34% on the 10 year average (Figure 15).

Males accounted for 84% of all drowning deaths at beaches, with several age groups recording an increased number of deaths this year. The number of people aged 75 years and over who drowned was 9, which is three times higher than the 10 year average of 3 drowning deaths (Figure 16).

More than half (57%) of beach drowning deaths occurred while swimming and recreating, with watercraft incidents accounting for a further 14% of deaths and diving resulting in 10% of deaths (Figure 17).

New South Wales recorded the highest number of drowning deaths at beaches, accounting for nearly half (48%) of all deaths. This year's total of 30 deaths in New South Wales was a 50% increase on the 10 year average of 20 deaths. A further 11 deaths (17%) occurred in Queensland and 8 in Victoria (13%), which were both increases on the 10 year average (Figure 18).

Royal Life Saving continues to encourage people to swim at patrolled beaches during patrol times and between the red and yellow flags. Be aware of water conditions and the limitations of your own skills and fitness. Given the increase in beach drowning deaths among people aged 75 years and over, it is important that older people are aware of any pre-existing medical conditions that may have an impact on their fitness and ability in the water and therefore, their risk of drowning.

Sharp increase against the 10 year average in people aged 75 years and over

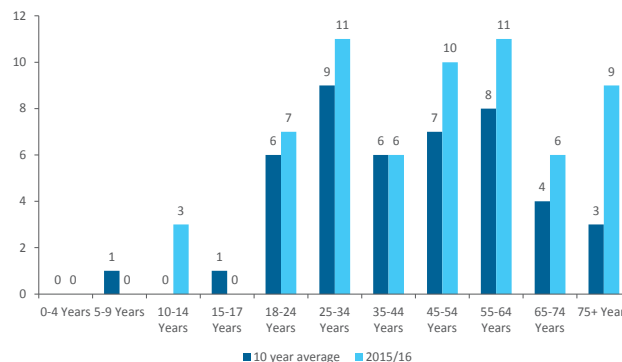


Figure 16: Beach Drowning Deaths by Age Group, 10 Year Average, 2015/16

Swimming and recreating accounts for more than half of all beach drowning deaths

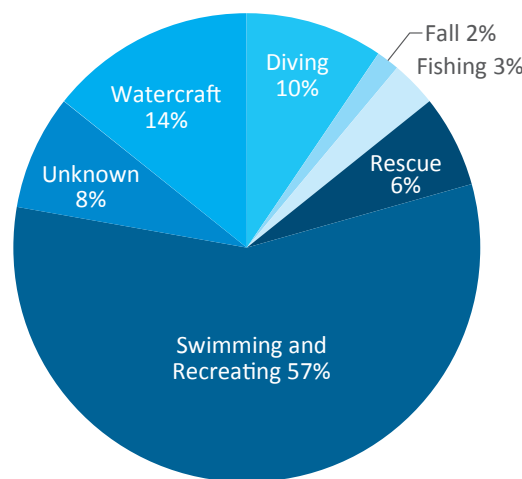


Figure 17: Beach Drowning Deaths by Activity Immediately Prior, 2015/16

Drowning deaths at beaches recorded an increase of 34% against the 10 year average

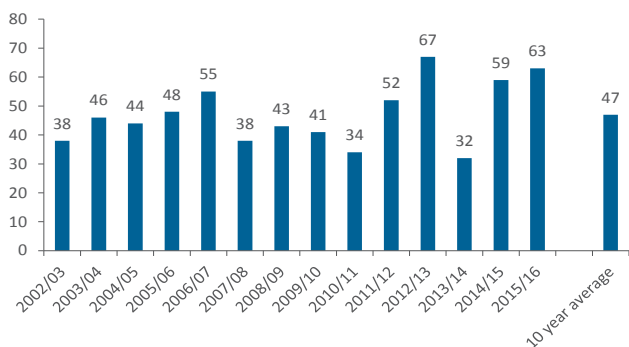


Figure 15: Beach Drowning Deaths 2002/03 to 2015/16, 10 Year Average

New South Wales recorded a 50% increase against the 10 year average

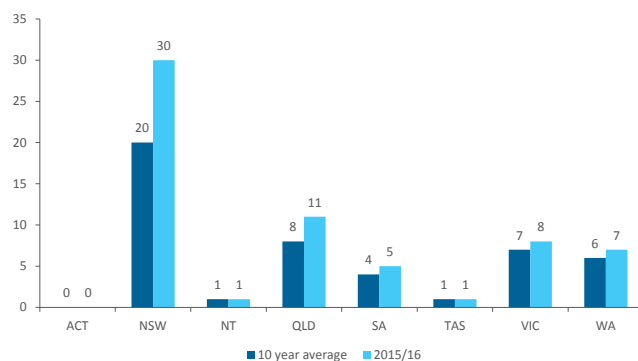


Figure 18: Beach Drowning Deaths by State / Territory, 10 Year Average, 2015/16



CASE STUDY: **BEFORE SCHOOL SURVIVAL SWIMMING**

Victorian primary school students in years 5 and 6 participated in a Before School Survival Swimming program in a 10 day intensive format. This program aimed to teach key water safety and survival swimming skills in order to create safe behaviours and confidence around water, with a long term goal of reducing the number of drowning deaths in Victoria.

A total of 111 students participated, with 16 identified as non-swimmers at the start of the program. By the end of the program, of these 16 non-swimmers:

- 56% were able to swim 50m or more continuously and 25% were able to swim between 100m and 300m;
- 44% were able to float, scull and/or tread water continuously for 1 minute; and
- 50% were able to complete a survival sequence whilst fully clothed.

Of all students who completed the pre- and post-program skills tests (102 students):

- 90% were able to swim 50m or more continuously in lesson 10, a 20% increase from lesson 1;
- 84% could float, scull and/or tread water continuously for 1 minute, a 35% increase from lesson 1; and
- 78% of students were able to complete a survival sequence whilst fully clothed, placing them in good stead to be able to recover from an unexpected entry into water and move to a point of safety.

Barriers to water safety education include cost, transport and a crowded school curriculum. Although challenges were encountered when delivering the program, solutions were developed to create a feasible and cost effective model.



There were 53 drowning deaths in ocean / harbour locations in Australia between 1 July 2015 and 30 June 2016. This figure is an increase of 20% on the 10 year average (Figure 19).

Almost all drowning deaths in ocean / harbour locations were males, accounting for 92% of deaths. A sharp increase in deaths among people aged 35-44 years was recorded, increasing by 75% against the 10 year average. An increase of 67% against the 10 year average was also recorded for people aged 55-64 years and 65-74 years (Figure 20).

Boating was the leading activity being undertaken prior to drowning in ocean / harbour locations, accounting for 62% of all deaths. Just over a quarter (28%) of people were diving prior to drowning, including activities such as scuba diving and snorkelling (Figure 21).

The highest number of drowning deaths in ocean / harbour locations occurred in Queensland, which recorded 17 deaths (32%), followed by Victoria with 12 deaths (23%) and Western Australia with 11 deaths (21%). These three states (Queensland, Victoria and Western Australia) all recorded increases against the 10 year average (Figure 22).

Promoting safe boating practices is key to reducing the number of drowning deaths that occur in ocean / harbour locations. Royal Life Saving urges people to ensure they always wear a lifejacket, which is properly fitted and maintained, carry safety equipment such as an EPIRB, avoid alcohol around water and check weather conditions before heading out.

Sharp increase against the 10 year average in people aged 34-44 years

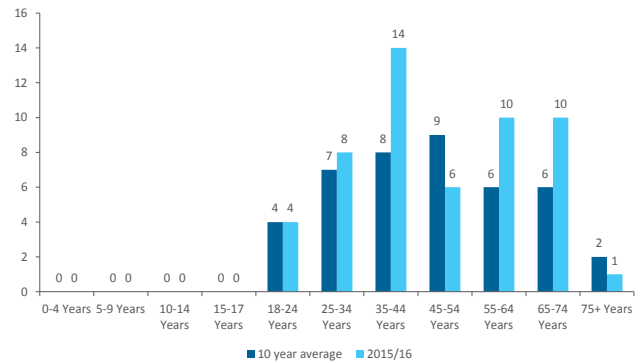


Figure 20: Ocean / Harbour Drowning Deaths by Age Group, 10 Year Average, 2015/16

Boating accounts for more than half of all ocean / harbour drowning deaths

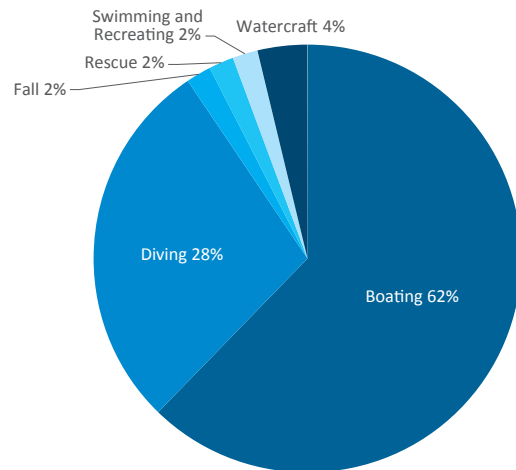


Figure 21: Ocean / Harbour Drowning Deaths by Activity Immediately Prior, 2015/16

Drowning deaths in ocean / harbour locations recorded an increase of 20% against the 10 year average

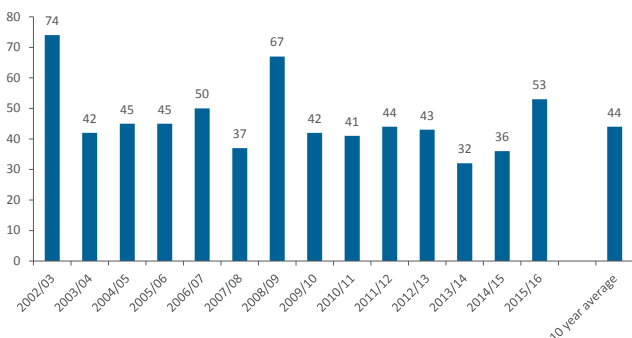


Figure 19: Ocean / Harbour Drowning Deaths, 2002/03 to 2015/16, 10 Year Average

Increases against the 10 year average were recorded in Queensland, Victoria and Western Australia

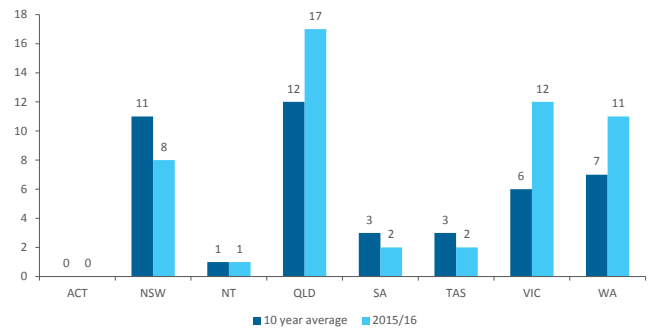


Figure 22: Ocean / Harbour Drowning Deaths by State / Territory, 10 Year Average, 2015/16

CASE STUDY: **MULTIPLE FATALITY EVENTS**

There were 14 multiple fatality events (MFEs) in 2015/16 that claimed the lives of 29 people. A detailed analysis of these events found that:

- Males accounted for 79% of all drowning deaths as a result of MFEs
- The largest number of drowning deaths occurred in the 25-34 years age group, accounting for more than a quarter (28%) of all deaths as a result of MFEs
- Western Australia recorded 7 deaths as a result of MFEs, while New South Wales, Queensland and Victoria each recorded 6 deaths
- More than half (59%) of all drowning deaths as a result of MFEs occurred in ocean / harbour locations, while beaches accounted for a further 28% of deaths
- The leading activity related to MFEs was boating, accounting for 52% of deaths, followed by swimming and recreating (35%)
- In addition to these 29 deaths, 6 people drowned during a single severe weather event related to flooding

Multiple fatality events are tragic with far reaching effects on the victim's families, communities and rescue personnel. In order to reduce the number of MFEs every year, as well as reduce the number of lives lost, a number of drowning prevention strategies can be undertaken. These include ensuring lifejackets are worn when boating or rock fishing, ensuring boats are seaworthy and fitted with appropriate safety equipment, monitoring weather reports and water conditions before and during activity and avoiding driving, walking or wading through floodwater.





There were 21 drowning deaths in children aged 0-4 years in Australian waterways between 1 July 2015 and 30 June 2016. This is a decrease of 9 drowning deaths (or 30%) on the 10 year average of 30 deaths (Figure 23).

Males accounted for 71% of drowning deaths in children aged 0-4 years. Although swimming pools were the leading location for drowning among this age group, accounting for over half (52%) of all deaths, there was a 31% decrease against the 10 year average. Reductions were also recorded for the number of children under five drowning in bathtubs and other locations (Figure 24).

The vast majority of drowning deaths in children under five resulted from a fall into water (81%), while a further 14% drowned while bathing (Figure 25).

Drowning deaths in children under five decreased by 30% against the 10 year average

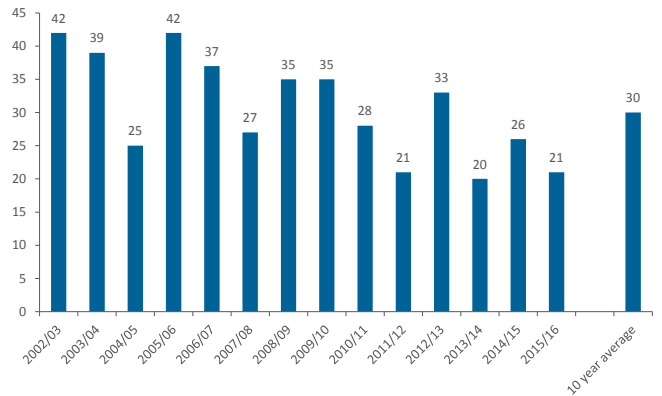


Figure 23: Drowning Deaths of Children 0-4 Years, 2002/03 to 2015/16, 10 Year Average

Swimming pool drowning deaths in children under five have decreased by 31% against the 10 year average

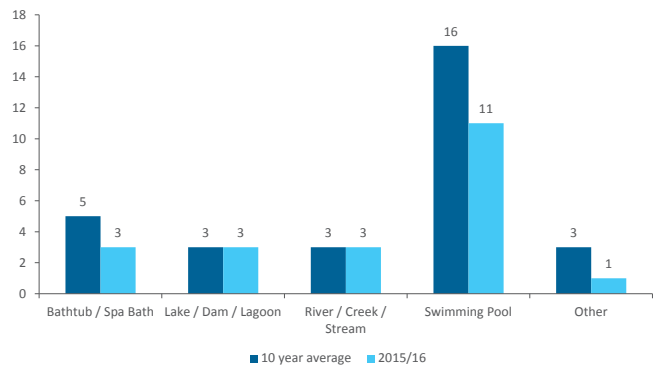


Figure 24: Drowning Deaths of Children 0-4 Years, 2002/03 to 2015/16, 10 Year Average

Falls into water account for most drowning deaths in children under five

81%

OF DROWNINGS IN 0-4 YEAR OLDS OCCURRED DUE TO FALLS INTO WATER

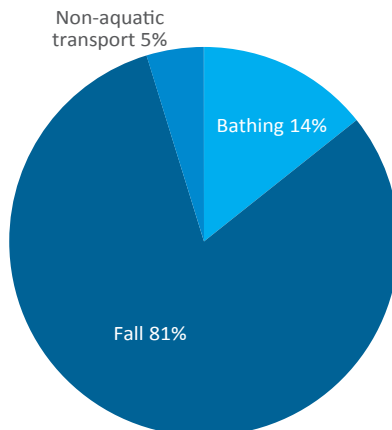


Figure 25: Drowning Deaths of Children 0-4 Years by Activity Immediately Prior, 2015/16



CASE STUDY: DROWNING DEATHS IN CHILDREN UNDER FIVE

Private swimming pool drowning deaths in children under five in New South Wales were reviewed. Between 1 July 2002 and 30 June 2015, 83 such drowning deaths were recorded. The key findings related to appropriate supervision, pool fencing and emergency care.

Supervision

- Supervision was completely absent in 59% of cases, with older siblings or other children left to supervise younger children in 6% of cases
- Among cases where it was known how long a child was left unsupervised for, 33% of children were left unattended for 5-10 minutes and 30% were left unattended for 3-5 minutes

Barriers

- Among cases with information on fencing available, fencing was present in 27% of cases, absent in 27% of cases and faulty in 35% of cases
- Among cases with available information, children most commonly gained access to the pool through a faulty fence or gate (38%), lack of a fence (31%) or a gate which was propped open (18%)

Resuscitation

- Among cases where it was known who initiated CPR, parents were the most common first responders (63%)

These findings serve as an important reminder of the Keep Watch program, which promotes four key actions.

Supervise – Be prepared and within arms' reach of your child. Remember, all of your attention, all of the time

Restrict access – Restrict a child's access to water by installing and maintaining a barrier, such as a pool fence with a gate which self-closes and self-latches

Water awareness – Enrol your child in water awareness classes to familiarise them with water and introduce water safety rules

Resuscitation – Family members are often the first on the scene in an emergency. Learn CPR and update your skills regularly

For more information on the Keep Watch program please visit www.keepwatch.com.au



There were 11 drowning deaths in children aged 5-14 years in Australian waterways between 1 July 2015 and 30 June 2016. This is a decrease of 2 drowning deaths (or 15%) on the 10 year average of 13 deaths (Figure 26).

Females accounted for 55% of drowning deaths in this age group, going against the overall trend of increased male drowning deaths. Swimming pools were the most common location for drowning among children aged 5-14 years, with 4 deaths (36%) recorded. There were no drowning deaths at rivers, creeks and streams (Figure 27).

Swimming and recreating was the most common activity prior to drowning among children aged 5-14 years, accounting for 7 deaths (64%). This highlights the importance of a basic level of swimming skills and water safety knowledge in this age group (Figure 28).

Drowning deaths in children aged 5-14 years decreased by 15% against the 10 year average

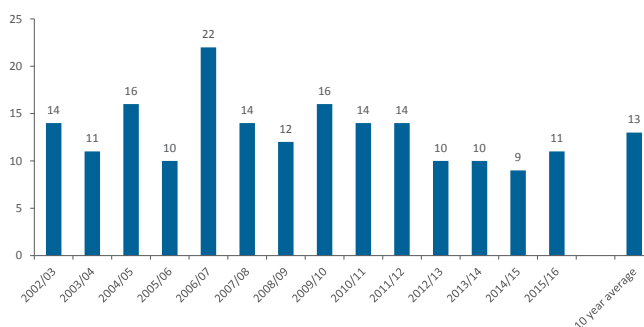


Figure 26: Drowning Deaths of Children 5-14 Years, 2002/03 to 2015/16, 10 Year Average

No drowning deaths were recorded in rivers, creeks and streams in children aged 5-14 years

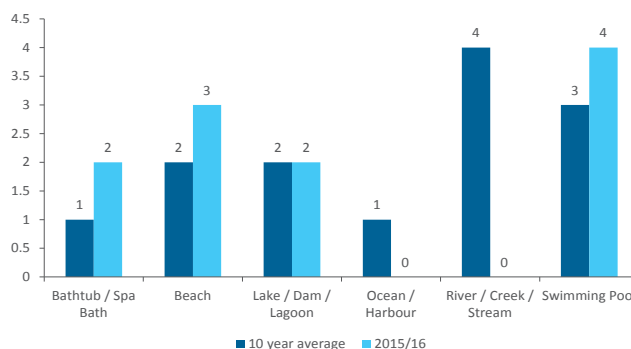


Figure 27: Drowning Deaths of Children 5-14 Years by Location, 2015/16

Swimming and recreating accounts for more than half of all drowning deaths in children 5-14 years

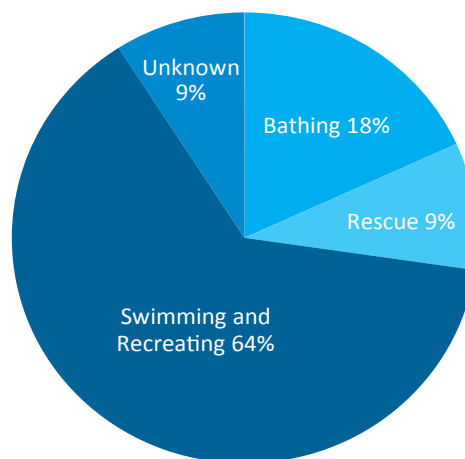


Figure 28: Drowning Deaths of Children 5-14 Years by Activity Immediately Prior, 2015/16

64%

OF DROWNINGS IN 5-14 YEAR OLDS OCCURRED WHILST SWIMMING & RECREATING

CASE STUDY: **SWIM AND SURVIVE ON THE SWAN**

As part of the Respect the River campaign, Swim and Survive on the Swan was developed. The program aims to promote safe aquatic recreation on the Swan River through established partnerships with government, recreation clubs and local aquatic centres. It targets all recreational users of the Swan, with a particular focus on children, youth, Culturally and Linguistically Diverse (CaLD) communities and marine education groups.

Swim and Survive on the Swan is designed to raise awareness of the potential hazards at river locations, while also educating participants on safe aquatic behaviours and encouraging the community to use the river, including migrant and indigenous populations.

The initial program ran through school holidays and was delivered to 31 participants (16 children and 15 adults). It incorporates Swim and Survive and Bronze Medallion to teach participants valuable swimming and lifesaving skills. The program was developed in consultation with Canoeing WA and in addition to swimming and water safety, includes canoeing drills and relevant scenarios.



LIFE STAGE IN FOCUS: PEOPLE AGED 25-34 YEARS

There were 52 drowning deaths in people aged 25-34 years in Australian waterways between 1 July 2015 and 30 June 2016. This was a 27% increase against the 10 year average of 41 drowning deaths and the highest recorded number of deaths in a financial year for this age group (Figure 29). Males accounted for 89% of these drowning deaths.

Rivers, creeks and streams were the leading location for drowning among people aged 25-34 years, accounting for 15 deaths (29%). This was a 36% increase against the 10 year average. A further 11 people drowned at beaches (21%) and 8 in ocean / harbour locations (15%), both of which were also increases on the 10 year average (Figure 30).

People in this age group were undertaking a variety of activities prior to drowning. The most common activity was swimming and recreating (31%), followed by boating (15%) and diving (13%) (Figure 31).

Males continue to drown at a higher rate than females, which is particularly evident in this age group. The use of alcohol and illegal drugs while undertaking aquatic activity is an ongoing challenge, especially around rivers, creeks and streams, which accounted for the highest number of deaths in this age group and are often located in regional and remote locations.

Highest number of drowning deaths in people aged 25-34 years recorded in 2015/16

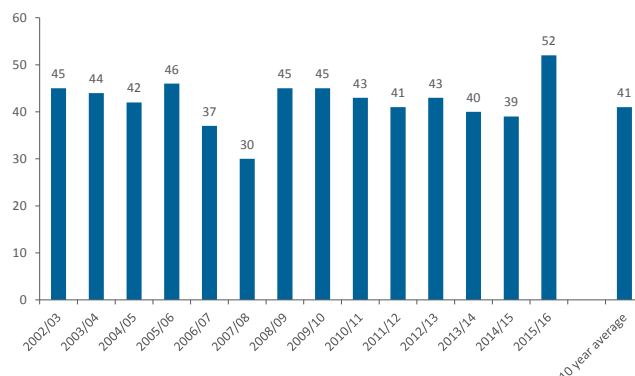


Figure 29: Drowning Deaths of People 25-34 Years, 2002/03 to 2015/16, 10 Year Average

Rivers, creeks and streams were the leading location for drowning in people aged 25-34 years

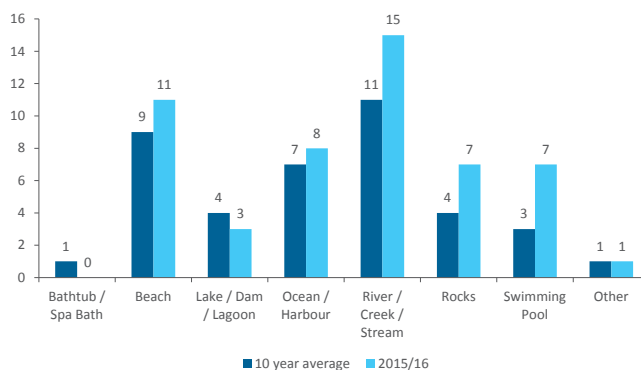


Figure 30: Drowning Deaths of People 25-34 Years by Location, 10 Year Average, 2015/16

Swimming and recreating accounted for almost a third of all drowning deaths in people aged 25-34 years

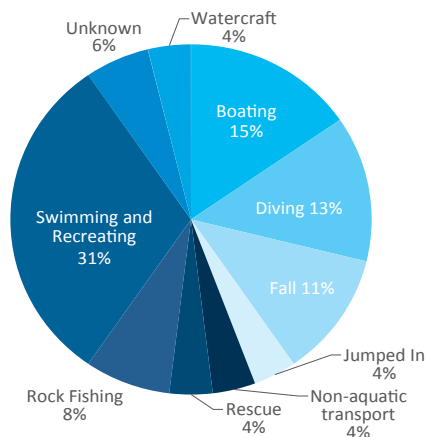


Figure 31: Drowning Deaths of People 25-34 Years by Activity Immediately Prior, 2015/16



MALES AGED 25-34 YEARS DROWNED

There were 58 drowning deaths in people aged 65 years and over in Australian waterways between 1 July 2015 and 30 June 2016. This was a 9% increase against the 10 year average of 53 drowning deaths but remains level with the 58 people who drowned in this age group last year (Figure 32). Males accounted for 79% of all drowning deaths in this age group.

Drowning deaths in rivers, creeks and streams decreased by 20% against the 10 year average of 15 drowning deaths. Among people aged 65 years and over, people most commonly drowned at beaches, which accounted for 15 deaths (26%) and rivers, creeks and streams with 12 deaths (21%) (Figure 33).

Half of all drowning deaths in people aged 65 years and over occurred while boating (26%) or swimming and recreating (24%). A further 19% of deaths occurred following a fall into water, an important reminder for older people to take care near water where surfaces may be slippery or uneven (Figure 34).

Older people are encouraged to test their skills and fitness in the controlled environment of a public swimming pool prior to recreating in open water locations, such as beaches and rivers. Participation in a Royal Life Saving Grey Medallion course or Adult Learn to Swim course are great ways to revise important swimming skills and water safety knowledge.

Drowning deaths in people aged 65 years and over remain level with last year

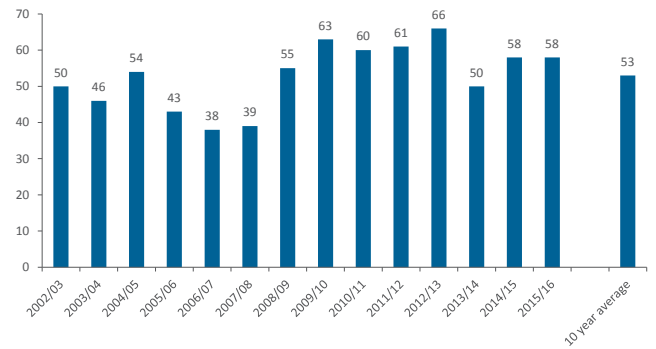


Figure 32: Drowning Deaths of People Aged 65+ Years, 2002/03 to 2015/16, 10 Year Average

Drowning deaths in rivers, creeks and streams in people aged 65 years and over decreased by 20% against the 10 year average

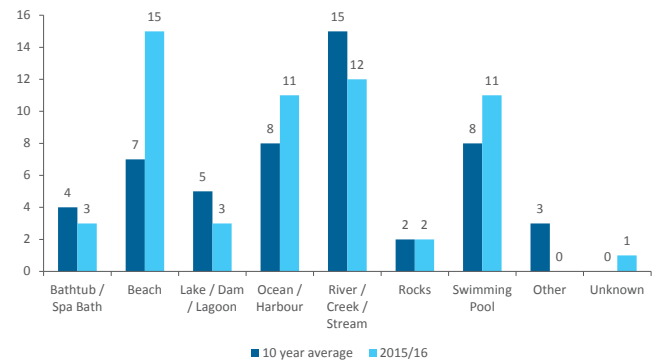


Figure 33: Drowning Deaths of People Aged 65+ Years by Location, 10 Year Average, 2015/16

Boating was the leading activity prior to drowning in people aged 65 years and over

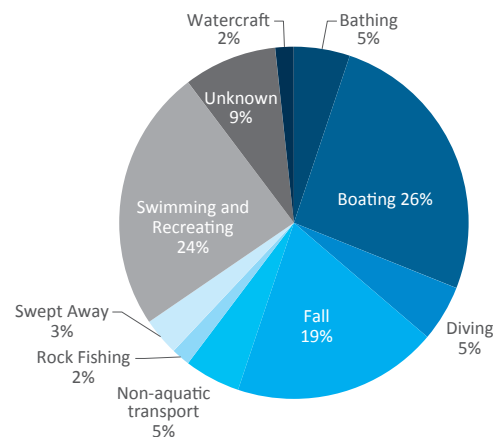


Figure 34: Drowning Deaths of People Aged 65+ Years by Activity Immediately Prior, 2015/16



MALES AGED 65 YEARS AND OVER DROWNED

CASE STUDY: **RESPECT THE RIVER**

RIVER SAFETY TIPS

1. Wear a lifejacket

Lifejackets need to be properly fitted for all participants, including children, as well as regularly maintained. Watercraft related drowning deaths can occur if people do not wear lifejackets, consume alcohol and fall overboard, are not prepared for changing weather conditions, collisions occur or their vessels are not seaworthy.

2. Avoid alcohol around water

Alcohol often contributes to drowning deaths, particularly around rivers. It impairs judgement, encourages greater risk taking behaviour, reduces coordination, impairs reaction time and reduces the effectiveness of CPR, should someone require it.

3. Never swim alone

It is important to take care when walking on slippery or uneven surfaces around or in water. Conditions should be checked before entering the water slowly, feet first. Avoid submerged obstacles, such as tree branches and rocks. Always swim with a friend, particularly in remote locations.

4. Learn how to save a life

Gain the knowledge and skills to administer first aid until medical help arrives. Anyone at any time may need to give urgent assistance. In fact, having the skills to react in an emergency situation can mean the difference between life and death while you wait for help to arrive.

For more information visit
royallifesaving.com.au/respecttheriver





DROWNING RISK FACTORS

Risk factors that can increase a person's chance of drowning can include age, sex and socioeconomic status, as well as the presence of pre-existing medical conditions and prior consumption of drugs and alcohol. The following are case studies investigating the frequency of several risk factors in the drowning deaths that occurred in 2015/16.

PRE-EXISTING MEDICAL CONDITIONS

Of the 280 people who drowned, 70 were known to have a pre-existing medical condition. This represents one quarter (25%) of all drowning deaths in this year's National Drowning Report. Of these, 81% were male and more than half (57%) were aged 55 years and over.

The most common medical condition was cardiovascular disease, namely ischaemic heart disease. Cardiac conditions were recorded in 63% of cases where a pre-existing medical condition was known to be present. Other commonly occurring medical conditions were epilepsy (9%) and mental and behavioural disorders (11%).

A pre-existing medical condition was deemed to have been contributory to the chain of events that led to the drowning in 56% of cases where a medical condition was known to be present.

Royal Life Saving recommends that people aged 55 years and over undergo regular medical check-ups, allowing early detection of chronic disease, as well as appropriate monitoring and treatment. Children or adults with a history of epilepsy should always be supervised when in, on or around the water.

70

PEOPLE DROWNED WHO
HAD PRE-EXISTING
MEDICAL CONDITIONS

VISITOR STATUS

In 89 cases (32%) the person who drowned was known to be a visitor to the location where they drowned. Of these, 43 people drowned within their own State or Territory in a postcode that was 100km or further from their residential postcode. A further 21 people were visiting a different State or Territory when they drowned.

This year, 25 people who drowned were overseas tourists, predominantly from Asian (44%) and European (36%) countries. Overseas tourists commonly drowned at the beach (28%) or ocean / harbour locations (24%). The most common activities prior to drowning were swimming and recreating (32%) and diving (28%).

Regardless of how far you live from the aquatic environment you visit, particularly with inland waterways, conditions can change rapidly and without warning. Where possible you should check with a local resident regarding the conditions prior to entering the water. International tourists to Australia should ensure they take care when diving in the ocean, to always swim at patrolled beaches between the flags and to take care when recreating in and around our inland waterways.

DRUGS & ALCOHOL

There were 44 people who drowned who were known to have recorded positive readings for alcohol in their bloodstream at the time of drowning. More than half (57%) recorded a blood alcohol reading that was equal to or greater than the legal limit for operating boats and vehicles in most States and Territories (0.05mg/L). Of those, 40% recorded a blood alcohol reading that was four times the legal limit (0.2mg/L) or higher.

There were 41 people who drowned who were known to have some kind of drug in their system when they drowned. In almost a third of cases (29%), the drugs consumed were known to be illegal or an abuse of legal drugs. Commonly occurring illegal drugs were cannabis (58% of all drowning deaths which involved illegal drugs) and methamphetamine (33%).

The consumption of illegal drugs and/or alcohol prior to undertaking aquatic activity is known to increase the risk of drowning as they can impair judgement, slow reaction times, impair coordination and result in greater risk taking behaviour.

Some medications can also increase the risk of drowning as they may make people unsteady on their feet or slow reaction times. Mixing prescription medication with alcohol can also increase a person's risk of drowning. Royal Life Saving strongly urges people to refrain from consuming alcohol or taking illicit drugs when around water, as well as considering the possible side effects of prescription medication.



PEOPLE DROWNED WHO WERE VISITORS TO THE INCIDENT LOCATION



PEOPLE DROWNED WHO RECORDED POSITIVE READINGS FOR ALCOHOL



CASE STUDY: DROWNING DEATHS BY REMOTENESS

By collecting data on the postcode of the drowning incident location, it is possible to determine the remoteness classification of the location of the drowning incident. Two thirds (67%) of drowning deaths in 2015/16 took place in areas deemed to be major cities or inner regional (Figure 35).

Drowning deaths in major cities most commonly occurred at swimming pools (26%) and beaches (25%), while swimming and recreating (29%) or following a fall into water (18%). Inland waterways accounted for almost a third (32%) of all drowning deaths at inner regional and outer regional locations, while 27% of people who drowned were swimming and recreating and 16% were boating.

Drowning deaths in areas deemed remote or very remote accounted for 13% of all deaths and most commonly occurred in ocean / harbour locations (41%) or inland waterways (32%). More than a third (38%) of people who drowned in remote and very remote locations were boating, while a further 19% were swimming and recreating.

Access to timely medical assistance in remote and very remote areas is made all the more difficult due to isolation from major services. Therefore, promoting an increased awareness of the risk of undertaking aquatic recreation alone in isolated areas, and the importance of first aid and CPR skills for first responders is vital for reducing drowning deaths in these locations.



Figure 35: Drowning Deaths by Remoteness Classification of Incident Postcode, 2015/16

METHODS

Information presented in the Royal Life Saving National Drowning Report 2016 has been collated from the National Coronial Information System (NCIS), State and Territory Coronial offices and year round media monitoring. Cases are collated in partnership with Royal Life Saving State and Territory Member Organisations and analysed by Royal Life Saving Society – Australia.

Royal Life Saving uses a media monitoring service (both broadcast and print) all year round to identify drowning deaths reported in the media. This information is then corroborated with information from the NCIS, police reports and Royal Life Saving State and Territory Member Organisations (STMOs) before being included in the National Drowning Report.

All care is taken to ensure that the information in this report is as accurate as possible. However, these figures should be considered interim until the Australian Bureau of Statistics (ABS) releases its 'causes of death' figures for 2015 and 2016. Figures may change depending upon the ongoing coronial investigations and findings as 69% of cases were still under investigation (i.e. open) at the time of the production of this report.

This report contains information on 2015/16 drowning deaths known as of 21st August 2016. All other data is correct as of 1 July 2016, in accordance with Royal Life Saving's ongoing data quality assurance policy. All cases in the Royal Life Saving National Fatal Drowning Database are checked against the NCIS on a regular basis and figures are updated in annual National Drowning Reports as cases close. The 10 year averages in this report were calculated from drowning death data from 2005/06 to 2014/15 inclusive.

Drowning rates per 100,000 population are calculated using population data from the ABS publication 'Australian Demographic Statistics' (Cat 3101.0). Percentages and averages are presented as whole numbers and have been rounded up or down accordingly.

Exclusions from this report include: drowning deaths as a result of suicide or homicide, deaths from natural causes, shark and crocodile attacks, or hypothermia. All information presented is about drowning deaths or deaths where drowning is known to be a factor (e.g. a car rolled into the water and a person drowned).

The category of 'Non-aquatic Transport' relates to drowning deaths involving means of transport not primarily designed or intended for aquatic use such as cars, motorbikes, bicycles and aeroplanes among others. Means of transport primarily used for aquatic purposes are captured in the 'Boating' (water-based wind or motor powered vessels, boats, ships and personal watercraft, e.g. boats, jet skis, sail boats, yachts) and 'Watercraft' categories (water-based non-powered recreational equipment such as those that are rowed or paddled, e.g. rowboats, surfboats, kayaks, canoes, boogie boards).

The category of 'Swimming Pool' includes home swimming pools, public swimming pools, hotel and motel pools and portable swimming pools among others.

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- Royal Life Saving State and Territory Member Organisations (STMOs)
- The National Coronial Information System (NCIS)
- The Queensland Family and Child Commission
- Surf Life Saving Australia (SLSA)
- Barbara Brighton (SLSA)
- Leanne Daking (NCIS)
- Bernadette Matthews (LSV)
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- Rick Carter (Studio One Another)

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THE PURPOSE OF RESEARCH

Research into drowning is conducted for a number of reasons. It allows us to:

- Inform the public and relevant authorities about the size of the problem,
- Track trends and progress over time, which facilitates evaluation and
- Develop evidence-based prevention strategies, ensuring new programs and initiatives are based on data and directed towards areas of concern.

Accurate and timely research enables Royal Life Saving to identify key factors in drowning deaths, giving us the opportunity to design targeted solutions which can be implemented in communities across Australia by our State and Territory Member Organisations (STMOs).

COMMUNICATING OUR FINDINGS

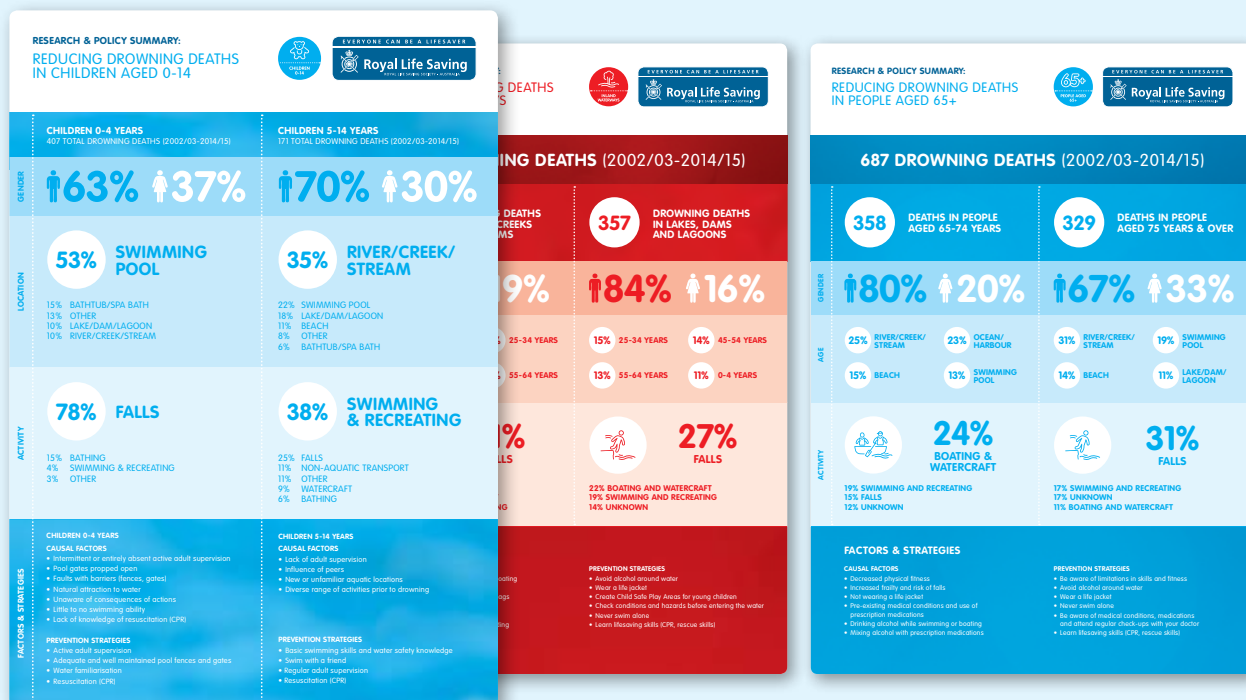
The Royal Life Saving website 'Facts and Figures' section includes all our previous National Drowning Reports, research reports, fact sheets and information manuals. Our website is continually updated to include new research once complete.

Our recently developed 'Research and Policy Summaries', provide a snapshot of research in an area, including background to the issue, drowning data, recommendations for the future and case studies to highlight relevant programs.

We also communicate through our social media accounts, regularly posting new content and sharing the important work of others within our networks.

Royal Life Saving Research and Policy Summaries

To download visit royallifesaving.com.au/facts-and-figures



2016 SNAPSHOT OF FINDINGS

OVERALL

280 PEOPLE DROWNED IN AUSTRALIAN WATERWAYS BETWEEN 1 JULY 2015 AND 30 JUNE 2016

THIS YEAR'S FIGURE OF 280 DROWNING DEATHS IS AN **INCREASE OF 13 DROWNING DEATHS (OR 5%)** ON THE 267 DROWNING DEATHS RECORDED IN 2014/15

THIS IS A **REDUCTION OF 2 DEATHS** ON THE 10 YEAR AVERAGE OF 282 DROWNING DEATHS



231



49

SEX AND AGE GROUP

- ▲ 231 (83%) drowning deaths were male
- ▼ 49 (17%) drowning deaths were female
- ▼ 21 (8%) drowning deaths occurred in children aged 0-4 years
- ▼ 11 (4%) drowning deaths occurred in children aged 5-14 years
- ▲ 52 (19%) drowning deaths occurred in people aged 25-34 years
- ▲ 58 (21%) drowning deaths occurred in people aged 65 years and over

STATE AND TERRITORY


- ▼ 96 (34%) drowning deaths occurred in New South Wales
- ▼ 66 (24%) drowning deaths occurred in Queensland
- ▲ 43 (15%) drowning deaths occurred in Victoria
- ▲ 37 (13%) drowning deaths occurred in Western Australia

LOCATION AND ACTIVITY

- ▲ 63 (23%) drowning deaths occurred at beaches
- ▼ 58 (21%) drowning deaths occurred at rivers, creeks and streams
- ▲ 53 (19%) drowning deaths occurred in ocean / harbour locations
- ▲ 74 (26%) were swimming and recreating immediately prior to drowning
- ▲ 46 (16%) were boating immediately prior to drowning
- ▼ 39 (14%) drowned as a result of falls into water

- ▲ Means an increase on the 10 year average
- ▼ Means a decrease on the 10 year average

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SHOW YOUR SUPPORT

#RLSDrowningReport2016

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#RLSDrowningReport2016





The Australian Swim Schools Association proudly introduces the “No Drown Town” water safety initiative.



The “No Drown Town” concept is built around the idea of encouraging families to make their homes a “No Drown Town”, using the Safer Swimming layers of protection to take care of those closest to them - This is about taking responsibility and is seen as the highest priority, associating it with the colour red.

Beyond what each family does at home in their “No Drown Town”, their efforts extend to the local community - Their Neighbourhood, School, Council - This is connected with the colour blue, representing water in its various forms throughout the community, which is the focal point of the risk.

Those collective efforts will then have the best chance of changing things nationally and help families across the country. The colour green associates this with the growth and well being of a country unified to address the tragedy of childhood drowning.

In summary, this is Act **Personally**, Influence **Locally**, Affect **Nationally**.

Those ideas are represented in the No Drown Town identity displayed above. The links are symbolic of those 3 layers of the community being connected and working together toward a “No Drown Town” ideal.

Changes to competencies relevant to Swim Teachers & associated staff

Engaged under the classifications contained in the *Fitness Industry Award 2010*.

N.B: SRC were the old competencies from the '*Sport and Community Recreation Training Package*'. SISC are the new '*Sport, Fitness and Recreation Training Package*'. The AQU codings stand for aquatics and the final letter is the version A=1 B = 2 and so on.

Swimming and Water Safety Teacher

- SISC AQU202A – Perform basic water rescues (**replaces SRCAQU003B**)
- SISC AQU308A – Instruct water familiarisation (**replaces SRCAQU009B + incorporates SRCAQU008A**)
- SISC AQU309A – Instruct clients in water safety & survival skills (**replaces SRCAQU010B + incorporates SRCAQU008A**)
- SISC AQU310A – Instruct swimming strokes (**replaces SRCAQU011B + incorporates SRCAQU008A**)
- SISCCRO302A – Apply legal and ethical instructional skills (**replaces SRCCRO007B**)

Baby & Toddlers

- SISC AQU311A – Foster the development of infants and toddlers in an aquatic environment (**replaces SRCAQU012B**)

Disabilities

- SISC AQU312A – Assist participants with a disability during aquatic activities (**replaces SRCAQU014B**)

Competitive Swimming

- SISSWWM301A – Teach the competitive strokes of swimming (**Based on SRSSWWM005A but not equivalent. Incorporates outcomes from SRSSWWM001A Apply the principles of movement in water SRSSWWM002A Operate in accord with accepted aquatics industry health and safety practices and SRSSWWM003A Operate in accord with the legal responsibilities and risk management principles of the aquatics industry**)
- SISSCGP201A – Apply legal and ethical coaching practices (**Based on but not equivalent to SRSCGP001A**)

Pool Lifeguard

- HLTF301B – Apply first aid
- PUAEME001B – Provide emergency care (**new unit added**)
- PUAEME003C – Administer oxygen in an emergency situation (**replaces SRXEMR003A**)
- SISCAQU202A – Perform basic water rescues (**replaces SRCAQU003B**)
- SISCAQU306A – Supervise clients at an aquatic facility or environment (**replaces SRCAQU006B**)
- SISCAQU307A – Perform advanced water rescues (**replaces SRCAQU007B**)

Aquatic Technical Operator

- SISCAQU201A – Monitor pool water quality (**replaces SRCAQU001B**)
- SISCAQU303A – Operate aquatic facility plant and equipment (**replaces SRCAQU002B**)
- SISCAQU304A – Maintain pool water quality (**replaces SRCAQU004B**)
- SISCAQU305A – Implement aquatic facility plant and equipment maintenance program (**replaces SRCAQU005B**)
- SISCAQU417A – Operate self-contained breathing apparatus in an aquatic facility (WA only)
- SISXEMR201A – Respond to emergency situations (**replaces SRXEMR001A**)
- SISXRSK301A – Undertake risk analysis of activities (**based on but not equivalent to SRXRIK001A. Incorporates knowledge and application of OHS required to conduct risk assessments**)