

APPENDIX G

Insurance Matters

Background

The Council wants all of the Friends activities and events to be successful and safe. To that end, there is a process that we all adhere to that should make sure that this happens, for example, the completing a risk assessment prior to each event, the provision of liability insurance, obtaining licences, etc.

In terms of insurance there are two different types of activity and/or event

- Work sessions, litter picking, conservation tasks, bulb planting, etc. – activities that enhance the landscape of a park or green space. While participating in this type of activity the Council deem volunteers as unpaid employees.
- Events (e.g. concerts, fetes, picnics, etc.) – activities that primarily entertain. When the Friends initiate an event or activity, as the organiser, it is their responsibility to ensure the event or activity is planned and executed within park and green space regulation. The Friends will need to obtain relevant permissions and licences.

The Forum and the Council's parks contractor, *idverde*, have arranged a policy which provides Employers and Public Liability insurance cover for Friends Groups. This policy provides Groups with both work session and events cover, as referred to above.

Insurance Provision

A basic insurance cover is offered to all Friends Groups through a policy provided by Unity Insurance and paid for by *idverde*. Each individual Group has its own policy which is renewable in June each year. Renewal will be automatic for those Groups without any additional cover (see next paragraph), so should a Group cease all activities then Unity Insurance should be advised. New Friends Groups in the year should ask their Community Manager to make the arrangements for them and ensure they are known to the insurance company.

Groups that require additional cover, such as their volunteers using mechanical tools or against theft of tools, will need to arrange and pay for this as an extra add-on to the basic policy. Unity should be able to provide competitive rates of cover to facilitate this. Automatic renewal will not apply to Groups who have any extra cover - it is necessary for them to ask Unity to do so, by responding to their renewal invitation.

There are a number of clauses relating to Unity's insurance which every Group should be aware of. It is important that the insurance renewal documentation is read carefully and any specific stipulations adhere to by the Group. In particular note that there is a requirement that the Group has in place a Health and Safety Policy and also a Sharps and Needles Policy in relation to litter picking. Details of these policies and helpful guidelines are provided in Section 5 and Appendices C & D of this toolkit.

Some Groups may decide not to accept the policy on offer but they must provide alternative approved cover if they plan to work on Council owned land.

Volunteer Work Sessions

Overview

It is considered essential for groups to have insurance cover, and local authorities require anyone working on their land to be insured. Unfortunately, accidents will happen, even to the most careful of groups. Claims against your group as a result of an accident connected with its work can run into tens of thousands of pounds. In the absence of adequate insurance cover, such claims could be made against the leader of the project, the organisers of your group or its members. There are no substitutes for safe working practices, but when these fail, the provision of good insurance is a vital safeguard for your group.

Bromley Council, through its parks contractor, will provide you with insurance cover, but if needed you should ensure this covers you when working on land not owned or managed by the council, and covers volunteers who work on a casual basis outside of scheduled work session.

Public Liability

The most important insurance to have is public liability, which insures your group against any damage which may be caused to property or members of the public. Cover of up to £5,000,000 for any one claim is provided by the policy paid for by *idverde*. It is considered to be an adequate level. Although this sounds a considerable amount, courts tend to award very large levels of compensation for personal injuries.

Employer Liability

Employer's liability covers loss or damage to the Group's volunteers where the Group has been negligent in causing the loss or damage. The policy will pay damages and claimants costs and expenses for which the Group is liable in law up to £10,000,000. This includes defence costs and expenses incurred.

Personal Accident

Personal accident insurance is NOT provided by the policy arranged for Groups. If volunteers require this type of insurance then they need to make their own provisions. In general it will cover volunteers who injure themselves as a result of their own negligence and is usually for injury to or loss of limbs, injury to or loss of eyes, or for death. Cover can be relatively expensive and will be in direct relationship to the level of compensation.

Power Driven Machinery

If your group uses power-driven machinery or equipment such as chainsaws, you can expect to pay an additional premium for insurance cover. It is important you ensure Unity are aware of this. Your operators will be expected to be suitably qualified.

Tools

Your tools and equipment are probably the most valuable assets your Group owns. It is worth obtaining insurance cover for them against fire and theft while they are being stored. Ask Unity to quote the additional premium they would require. It is unlikely that you will be able to get cover for your tools while in transit or on site at a reasonable premium. The insurers may wish to inspect the store, and may insist on the fitting of strong locks. It is important to insure for the replacement cost, which may be many times the second-hand value.

Vehicles

Most car insurance policies only cover the vehicle and/or driver on a public highway. Consequently, as a point of principal the Council actively discourages the use of private vehicles within a park or green space. If you drive a vehicle in a park or green space, even with the permission of the landowner your vehicle insurance company will almost certainly not cover you should you be involved in an accident.

Volunteer Events

Overview

Any event run by a Group on Council land must be adequately insured. The policy arranged by and paid for by *idverde* provides a basic level insurance which offers public liability and legal expenses cover. The definition of an event under these circumstances is defined as low risk and no more than 500 people in attendance at one time.

Any high risk activities must be separately insured by the provider of that service and must be managed/controlled by said provider. As event organiser ultimately responsibility lies with the Group and they must ensure all adequate steps to properly insure their event have been taken.

Public Liability

The most important insurance to have is public liability, which insures your Group against any injury or damage incurred during the running of your event. Cover of up to £5,000,000 including Legal Expenses is provided. Although this sounds a considerable amount, courts tend to award very large levels of compensation for personal injuries.

Registereing an Event

For the basic policy to operate, the Group must register their event with the Council through the *idverde* website at www.bromleyparks.co.uk/events. Groups should ensure all the relevant documentation has been completed, any licence requirements met and if subject to fees these have been paid.