

APPENDIX E

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 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, so the Friends and their actions are covered by the Council Public Liability insurance policy.
- 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, licences and insurance.

There are a number of definitions and clauses relating to insurance of which every group should be aware. In very simplistic terms, when working as part of a work session under the supervision, guidance, instruction or approval of an officer of the Council, volunteers are seen as employees and are thereby covered by the Borough's Employers Liability and Public Liability policies.

Events and/or activities that are initiated and/or organised by a Friends group are their responsibility to insure. As individual event insurance can be prohibitively expensive, the Friends Forum holds a basic Public Liability policy which every member group of the Forum can avail themselves of, provided the event is logged with and approved by the Council and they are a registered Friends Group member of Forum.

Volunteer Work Session Insurance

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 will provide you with insurance cover, but 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 as well as registered members. Make sure you have a copy of the policy.

Public Liability

The most important insurance to have is public liability, which insures your group against any damage which may be caused to property, the public or your own volunteers. Cover of up to £2,000,000 is recommended for any one claim as a minimum requirement. Although this sounds a considerable amount, courts tend to award very large levels of compensation for personal injuries.

Employer Liability

Employer's liability covers the loss or damage to employees (be they paid or not) where the employer has been negligent in causing the loss or damage. The policy cover will pay damages and claimants costs and expenses for which the employer is liable in law. This includes defence costs and expenses incurred.

Personal Accident

Personal accident insurance is NOT provided by the Council. 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. 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. 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 Event Insurance

Overview

Any event run by a Friends Group on Council land must be adequately insured. The Forum provides, free of charge, 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 Friends Group and they must ensure all adequate steps to properly insure their event have been taken. For the basic Forum policy to operate, the Friends Group must register their event with the Council, ensure all the relevant documentation has been completed, any licence requirements have been met and that they are a registered member of Forum.

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 is provided. Although this sounds a considerable amount, courts tend to award very large levels of compensation for personal injuries.

Legal Expenses

Legal expenses cover provides for the cost of handling any claim made as a direct result of running your event. The policy cover will pay damages and claimants costs and expenses for which the Friends Group is liable in law. This includes defence costs and expenses incurred.