

## British Orienteering Membership Insurances: Frequently Asked Questions

### 1. The following receive Combined Liability Insurance whilst undertaking British Orienteering Federation authorised and recognised activity

- British Orienteering Federation Ltd t/as British Orienteering
- Affiliated Associations – Welsh Orienteering Association, Scottish Orienteering, Northern Ireland Orienteering Association
- Affiliated Regions
- Clubs including Officers / Officials
- Members and Volunteers
- Non- members registered at recognised BOF Events
- Coaches
- Planners
- Controllers
- Mappers
- Assessors
- Leader
- British Orienteering Federation Consultants
- Event Officials
- English Orienteering council

### 2. What is Combined Liability Insurance?

The Combined Liability policy provides legal liability following negligence, nuisance or trespass. Unlike other liability insurances it not only covers Public Liability (where you are liable for injury or damage to other persons or their property) but also includes cover for the following shaded areas in the table below. These represent areas in the Howden Combined Liability policy which would not be provided by a standard public liability policy.

Please note the Public Liability section of cover is written on a Claims Occurred basis. The policy has a Retroactive date of 01/01/2003.

The Professional Indemnity, Abuse, Management Liability sections are written on claims made basis. The policy is written on a **claims made basis** which means that for the policy to respond, a claim should be notified under the policy in force at the time you first become aware a claim may be made against you.

Cover & Limits of Indemnity	Summary
Public Liability £15,000,000 any one occurrence	Accidental bodily injury to third parties and/or damage to third party property arising out of your insured activities.  Cover for bodily injury claims following negligence of the coach/ instructor is covered by this section.
Products Liability £15,000,000 in the aggregate	Accidental bodily injury to third parties and/or damage to third party property arising out of any goods sold or supplied by you (including refreshments)
Professional Indemnity £15,000,000 any one occurrence	Loss (financial or otherwise) arising out of Errors and Omissions. For example, bad advice ( <b>instruction/ coaching</b> ) or failure to act  Including claims for Defamation.
<b>The Following additional covers are also provided to the Committees of Clubs and Associations</b>	
Abuse £7,500,000 in the aggregate	Abuse concerning children and vulnerable adults. Protection for damages awarded against the organisation (specifically for abuse, <b>the alleged individual perpetrator does not receive any cover</b> )

Directors and Officers £5,000,000 in the aggregate	Protection for individuals directors, officers and senior managers against claims arising from their decisions or actions taken whilst managing the organisation
Corporate Legal Liability £5,000,000 in the aggregate	Protection for the company against claims arising from their decisions or actions
Employers Liability	Legal Liability following death or injury of employees in the course of their employment. Cover includes volunteers carrying out tasks on behalf of the organisation

### 3. What activities are insured by the policy?

Members are only insured to participate in Foot and Trail Orienteering (members are not insured to take part in Ski Orienteering or Mountain Bike Orienteering).

Clubs are insured for the organising, controlling and mapping of events which includes Foot and Trail Orienteering, Ski Orienteering and Mountain Bike Orienteering.

Clubs and Planners are insured for the planning of MapRun orienteering activity. These courses must be registered as an activity with British Orienteering Federation.

### 4. How is Employers' Liability different to Public Liability?

Employers' Liability protects employers in the event of an injury to an employee or volunteer in circumstances where the employer is legally responsible. Public Liability protects the Registered coach or club where a member or member of the public is injured or their property is damaged and the injury or damage is caused by the club or coach.

**With effect from 1<sup>st</sup> January 2018 the policy now includes Employers Liability cover for affiliated clubs**

### 5. We only have unpaid volunteers, do we need Employers' Liability?

Under British law you can still be called an 'employee' even if you are not paid. Our advice would always be to ensure Employers' Liability insurance is in place.

### 6. Does the cover include any legal expenses?

Yes, but only for legal expenses for defence of civil action bought under the Combined Liability

### 7. Why do we need Defamation cover?

Issues can arise from comments innocently made on your web sites, articles, opinions or emails written which could potentially be libellous.

### 8. Does the policy cover anyone who is not a resident in England, Scotland, Wales & Northern Ireland, Isle of Man

Insurance cover is only available to members who have a permanent UK address. Such members are covered for their Liabilities in terms of recognised activities in both the UK and overseas, provided that any overseas trip is officially recognised/ authorised by British Orienteering.

Please note cover does not apply for claims brought in a court of law in the USA/Canada

Any member permanently living abroad is not covered. Please note this is not a Travel Insurance policy, cover for which can be obtained via How den

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#### 9. Does the Combined Liability provide cover anywhere in the world?

The policy will cover the insured anywhere in the world (with certain exceptions in respect of USA/Canada) provided you are on an official recognised/authorised trip.

Please note cover does not apply for claims brought in a court of law in the USA/Canada.

#### 10. If I am injured can I claim on the Liability Insurance provided by British Orienteering?

No. If you are injured you may wish to seek legal advice on how to pursue a claim against the person responsible for causing your injury.

Please note that the Combined Liability policy is a policy to protect the insured in the event that they are sued by another party.

#### 11. Are there any excesses on the policy?

Yes, a £250 Third Party Property Damage excess applies to the Public Liability section.  
£2,500 in respect to Corporate Liability Cover

#### 12. Are there any significant policy exclusions?

- £250 Third Party Property Damage Excess
- £2,500 Excess in respect to Corporate Liability
- Criminal / deliberate acts
- Abuse - the alleged perpetrator will not be provided with any cover
- Incidents known to you but not reported to Insurers
- Fines, penalties or punitive damages
- Loss of, or damage to property in your custody or control
- Deliberate, reckless or dishonest acts
- Cyber Incidents and losses

The above are principal policy exclusions, please refer to the full list of exclusions within the policy wording. A copy can be obtained from Howden or British Orienteering Federation

#### 13. What do I do if I become aware or are involved in an incident?

You should immediately record all relevant information as defined in the [Incident Recording Guidelines](#)

If there are verbal or written allegations made against you, you should report the incident to Howden Claims Team on 0121 698 8040

We would remind you that in NO circumstances should you admit liability or agree to pay for any damage caused as this may prejudice the position of Insurers and COULD result in the withdrawal of any indemnity.

Please note that this is a Liability Policy where Insurers decide if negligence attaches to you. Therefore any payments you make to any third parties will not necessarily be reimbursed.

#### 14. Is there a time limit for making a claim under the policy?

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You should notify Howden as **soon as you become aware** of any serious injury or damage to someone else's property, or any matter which could reasonably result in a claim against you.

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#### 15. Are Clubs Volunteers protected by the Combined Liability policy?

Yes, the Club is required to keep a list of their Volunteers who are non-members.

#### 16. Are volunteer First Aiders protected by the Combined Liability policy?

It is very unlikely that any action would be taken against a first-aider who was using the first-aid training they have received.

However if a claim is brought as a result of a first aiders activities for:

- a. bodily injury or property damage occurring; or
- b. personal injury

Since the insurance includes any director, employee, member, volunteer, general partner, trustee or committee member of British Orienteering whilst acting on behalf of the Federation. The insurance will provide cover for them against any sums they may have to pay as compensation and will also pay defence costs.

#### 17. If I am a Club Official what protection do I get?

As a club official you may not appreciate that the constitution of your club almost certainly makes you personally liable for the liability of your club and the actions of your members.

The Combined Liability policy provides Directors' and Officers' cover in order to protect you personally

If you are sued for a negligent decision. As an example we frequently have claims following internal disciplinary disputes leading to exclusion of a member or coach. This can lead to legal action against the committee members for failing to follow the club constitution, or current human rights legislation.

#### 18. I thought only Trustees needed Directors' and Officers' cover?

Trustees will usually sign legal documentation for the club. However, the constitution will extend liability to all club officials or members acting on behalf of the committee / club.

#### 19. Are non-members insured by the policy?

a) **Club Taster Sessions** – Individuals, attending club session who may be interested in joining a club are insured for a maximum of 3 initial "taster sessions.

For indemnity to apply it is essential that the club records their name, address and dates of attendance. These details must be retained as they may be called upon in the event of a claim.

The individual must be members of British Orienteering from their 4th visit.

b) **Recognised Competitions/Events** - Non-members are also insured whilst participating in British Orienteering Federation recognised competitions/events only if registered and declared to British Orienteering Federation. Failure to do so may mean that the insurance will be invalidated in the event of a claim

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#### 20. Do we need to register an event or an orienteering activity?

Yes, please register the event with British Orienteering as early as possible.

#### 21. Our club sometimes organises social events, would the Civil Liability policy cover us for these?

The standard cover under the Civil Liability provides indemnity for social events arranged by the club. If you are unsure about whether a particular event would be covered then please contact British Orienteering.

#### 22. Why do Coaches need Professional Indemnity cover?

Professional Indemnity provides cover for negligent advice. If you are coaching, for example, you would need this protection. A standard Public Liability policy will have a specific exclusion in respect of advice given.

#### 23. I am a Coach/Committee Member who arranges accommodation and travel as part of our Club activities for groups of people. Would I be covered under the Combined Liability policy if something goes wrong with these travel arrangements?

The Hiscox combined Liability policy provides Public Liability and Professional Indemnity cover for the Coach and Club for organised, planned trips such as a coach taking a group of children away for the weekend for a planned event /activity.

However, the Liability policy is not designed to provide cover for "Tour Operators". i.e. booking accommodation and transport as this is considered to be acting as travel agent.

The Hiscox policy contains a specific exclusion in respect of the Package Travel, Package Holidays and Package Tour Regulations 1992.

#### 24. Are there any turnover limits within the Liability policy?

Yes, if you are a Coach or a Mapper you are covered for a turnover of up to £10,000 per annum. If you earn more than this figure you should contact Howden on 0121 698 8156 in order to arrange cover in your own name.

#### 25. What does the club abuse cover provide?

Abuse/safeguarding cover is imperative for clubs in view of the ever increasing responsibilities imposed by legislation. The Abuse section of the policy provides protection for damages awarded against the club committee/officials for the abuse of children and vulnerable adults. There is no cover for the individual accused or alleged to be the abuser or any person who knowingly allowed the abuse to occur

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