

Co Wicklow PPN

Insurance for Community Groups
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Summary of Q&A Session (extra to presentation)



Main types of insurance required by Community Groups

- Public Liability
- Employers Liability (for vol and/or employees)
- Property Damage
- Directors and Officers insurance

What does a groups insurance cover?

Insurance will cover the normal activities that your groups organise and that fall within your group description. Important to declare all you are doing

Not insured for – activities that don't typically fall within the remit of your group.
Activities organised by another group not covered by your insurance.

If undertaking anything extra/different it is important to notify your Insurance broker/company/
Unless you have full control of all groups/activities they won't be included in your cover.

Your schedule and statement of fact should include all the details of your groups cover.

There is no set requirement at what a group needs to have their public liability limit set at.

Community Hall and groups using it

Hall has insurance we rent it do we need our own Insurance cover:

Yes. All 3rd parties using a community facility should have their own insurance.

Even if a group is not a fault you still have to defend yourself in court. If your group receives any legal correspondence, you must deal with it. Contact your insurance company.

Equipment belonging to another group in the hall. Members covered to use equipment. Who is responsible in the case of an accident?

Generally, whoever owns the equipment is responsible for maintaining it and including it on their insurance policy.

If not being used by a group but they trip over etc. it would depend on the circumstances the centre could be liable.

Groups need to decide who is responsible for the equipment and ensure it is insured properly.

Events

Car parking at group event:

If the group organise car parking for an event, Is the group responsible for an accident?
Not a clean-cut answer. Someone would have to prove that the group is responsible for the damage even if it is on their property. E.g. If directing people into a very tight space you could be deemed liable if an accident occurred but again that would have to be proven.
There are other clear incidents where a group would be liable, for example If you are painting outside and accidentally splash paint on a car , you would be responsible for the costs of repairing the damage.
Road traffic act supersedes anything else. In general, if someone parked at your premises you are not responsible.

If bringing in outside caterers etc make sure all 3rd parties coming in have their own insurance.
Abide by Health and Safety – Check out the HAS website for more information

Fundraising Event, cover for money collected: What to do and what covered for. Ensure your group has Money cover on your policy. BHP Standard limit €3,000 if going to be more contact the company. Tell insurance company what you need cover for. Need to let insurance company know what you are doing with the money until it can be lodged, and they will cover. You can also have Cash in Transit cover.

Using disclaimer signs and forms?

This is good practice, and they act as a deterrent. However, your group can still be liable. Courts and judges will take warning into consideration but legally if someone has an accident you can be deemed liable.

Why don't insurance companies fight spurious claims?

Insurance company will settle a claim as quickly and cheaply as possible. They will way the cost of defending against the possible pay-out. Insurance companies are fighting more and more cases and we are starting see some success stories which will hopefully have some positive impact .

Clarification on 'stress claims for employees/volunteers'

Important to mitigate against and put in place best practice in relation to employees/volunteers. No book of quantum for a psychological injury. Claims can go on for years and are very complex If a claim does come in, you will be fully covered if you have employers liability activated. Only time it might be declined if linked to bullying/harassment in the workplace.
CE scheme it's not the organisation they are working in claim will go back to CE scheme.

Is there a Checklist to ensure you are covered for unnecessary claims; NO. speak to your insurance advisor and ensure they are aware of everything a group is going to do. They should tell you the insurance cover required.

If an unforeseen event etc pops up let your insurance broker know to ensure covered.
It is recommended that you go through everything to get confirmation of cover. Email so you have it in writing.

More about Directors & Officers Insurance cover

Important to have director and officers cover. Someone sitting on a number of Boards can take out their own personal cover. Can start at €400 and based on the number of boards you sit on.

CLG group – are their directors as exposed to personal claims against them as a group just covered by a constitution. No difference in exposure. Protection from Directors and officers cover.

Insurance company making exclusions on a Directors and officers policy can be common. If claims have been made before.

Importance of having policies and procedures in place to ensure best practice implemented.

Insurance Claims and premiums. Uncertain as to how the book of quantum is going to go. Judges do now have to follow the amended book of quantum which has 'reduced awards'.

Law is set by proceeding cases in Ireland.

Insurance companies are strict re claims reporting. If you don't know about a claim this is different, it's from when you first become aware of it. Even if there is the slightest possibility of a claim do notify them.

Indemnity for Travel for volunteers: is this legal/illegal or just a deterrent?

It is legal. Very hard to prove that Group's negligence could be the cause of your crash.

Common practice in the public sector if you are claiming expenses.

If you incur a cost for the letter of indemnity recommended that you ask Group/Committee/Company to cover this cost.

Volunteering

Volunteering doing maintenance work – is the person covered.

Recommend if specialised work don't use a volunteer.

Will the group be covered? Group have responsibility to provide proper safety equipment etc.

Group responsible and will be liable.

If a volunteer damages the property etc when doing the work – group can't claim. As the volunteer has no insurance. Therefore, it is better to get a professional with insurance so you can claim in the case of damage caused.

General Clean up by tidy towns – if all volunteers they would be covered.

Typical cost of Insurance for Tidy Towns Group

Start at about €275. BHP have set rates which covers for clean-up days, meetings etc.

Group insurance – would this provide a saving for all

You would need to know exactly what each group in the overall group is doing. Need to be operating and following the same constitution, health and safety etc. If its 10 groups coming together no discount. If one group with 10 different areas, then there could be a discount.

Older people and insurance: insurance company to look after older people exclusively? Not likely to happen as Insurance companies want to spread their risk.

Complaint re Insurance Company

If you have an issue with insurance, go to Insurance Ombudsman.

If you make a complaint to the Ombudsman, the insurance company has to reply to you within a certain amount of time.

It is recommended that in the first instance you go directly to the Insurance Company.

Links to more information

<https://scsi.ie/consumer/build/house-rebuild-calculator/>

<https://www.hsa.ie/eng/Topics/Managing Health and Safety/Safety, Health and Welfare at Work Act 2005/>

<https://www.ombudsman.ie/making-a-complaint/make-a-complaint/>

https://www.citizensinformation.ie/en/consumer/consumer_laws/consumer_protection_organisations.html