

LETCHEWORTH ARTS AND LEISURE GROUP

INSURANCE ARRANGEMENTS: GUIDANCE NOTE

LALG's insurance cover is as follows:

Type of cover	Amount
Employers' Liability	£10m
Public Liability	£5m
Products Liability	£5m
Trustees' Liability	£250,000
Professional Indemnity	£250,000
Legal Expenses	£100,000

Employers' Liability

Why does LALG have Employers' Liability cover when it does not employ anyone? The answer is that the definition of employees also covers volunteers, and our insurance broker recommends we have this cover. As far as LALG is concerned volunteers are group contacts or anyone else carrying out, or helping to carry out, LALG activities, trips and events. If a volunteer was injured and it went to court and LALG was found responsible, the courts could rule that LALG should pay out as the volunteer was acting at LALG's direction and control.

Public Liability

Public Liability insurance (sometimes known as third party insurance) covers the cost of claims made by anyone, other than employees, for incidents that occur in connection with LALG's activities, trips and events. It covers the cost of claims where LALG is found to be legally liable. It includes compensation for personal injuries, loss of or damage to property, and death. Our policy limit is £5m, the minimum recommended for a voluntary organisation.

Products Liability

Products Liability insurance is included as part of our Public Liability insurance. It includes cover for providing refreshments.

Trustees' Liability

Trustees' Liability insurance (including Fidelity cover to cover certain losses caused by dishonesty or fraud) covers compensation claims resulting from mismanagement of LALG and any associated legal costs. As far as LALG is concerned the term "trustee" refers to a Committee member. However this insurance will not provide cover where a loss is a result of deliberate act of dishonesty or fraud by a Committee member. In reality it is very unlikely that a Committee member who has acted "in good faith with reasonable care" will be held liable.

For information all Committee members sign an annual declaration to confirm that they have not been declared bankrupt, convicted of a criminal offence and a number of other matters to comply with the requirements of LALG's insurers.

Cover for cash

We have cover for cash held by any group contact or event organiser in case of accidental loss or theft. However, please remember that, on receipt, cash should either be banked or given to the LALG Treasurer to do so.

Professional Indemnity

There is a possibility that someone might attempt to sue us if they felt they had suffered a financial loss as a result of information or advice we had given them negligently, for example in the newsletter. It does not matter that no charge was made for the information or advice. Professional indemnity insurance provides cover against any such claims. It also includes libel and slander cover.

Legal Expenses

Covers legal expenses connected with any claim made against LALG.

Advice provided to LALG

The LALG Committee receives the professional advice of a specialist insurance broker who arranges the cover LALG needs with a well known insurer (currently RSA - Royal & Sun Alliance) who is able to offer a flexible and cost effective package. As part of the renewal process we have to provide up to date details to the broker about LALG's activities. However we do not have to let them know if a new group is formed or an event planned during the year.

What do we need to tell our insurers

As part of the annual renewal process we have to provide an up to date list of our groups and basic details of their activities. If a new group is started during the year and its activities are similar to existing groups there is no need to inform our insurers. Although it is unlikely that a new group's activities will be

different to our existing ones, if they are our insurers **must be** informed. This should be done via the LALG Secretary.

What do Group Contacts and trip/event organisers need to do to ensure they and their activities/trips/events are covered by LALG's insurance?

A lot of LALG's activities have a minimal level of risk. However trips and groups that involve some level of physical activity such as a walking or sports group will, by their nature, have a greater level of risk than a group meeting in a local venue to discuss something or take part in a craft activity.

Our insurers expect "risk assessments" to be carried out for groups and trips involving physical activities, although they do not require sight of them. We therefore expect Group Contacts for physical activities and the lead organiser(s) for trips and events to take sensible steps to assess the risks involved and mitigate any identified. For regular/ongoing physical activities, the assessment should be reviewed on an annual basis, or earlier if there is any change to the group's arrangements. For trips and events the assessment should be done on an individual basis to take account of the specific details of the particular trip or event.

It may be an old adage but it is still worth repeating – please use your common sense. The LALG Committee has produced guidelines for Group Contacts and the organisers of trips and events and these include some short safety checklists (our "risk assessments") which you may like to use, as they can be used to show that you have considered any risks involved. If there were to be an accident/incident it will be important that we can show that an assessment has been done. If you need any further information, please contact the Groups Support team for help.

Who is covered under LALG's insurance? Does this include non LALG members who are taking part in an activity or event?

LALG's insurance covers all groups which are set up by and run by LALG. It does not cover Associated Groups which should have their own insurance arrangements.

LALG's **Employers' Liability** insurance covers LALG volunteers organising LALG activities, trips and events, providing these activities, trips and events are with the knowledge of LALG – this would normally mean that the details of the activity, trip or event have been included in the LALG newsletter and/or on the LALG website.

LALG's **Public Liability** insurance covers anyone taking part in a LALG activity, trip or event, **whether they are a LALG member or not**. This includes a LALG member or non-member with a disability and their paid carer or other LALG member or non-member who might help them.

Please remember that LALG's Public Liability insurance protects participants in LALG activities, trips and events against claims from third parties, **it does not provide cover for them personally**.

Why do we tell participants in activities and events that they need to have their own insurance?

This relates to both LALG members and non LALG members participating in activities, trips and events.

LALG's insurance only provides cover in the event of LALG being at fault if there is an accident/incident. If someone on a walking tour has an accident (for example trips over a paving slab in the street) or loses their camera, this is not the fault of LALG, but a claim could be made on the participant's personal insurance. This is no different from if the person undertook the activity by themselves.

We include regular reminders in the newsletter that it is an individual's own responsibility to stay safe and to take out their own personal insurance where applicable, but Group Contacts and the organisers of trips and events may like to re-iterate this.

Can LALG be sued?

In theory yes, but it is unlikely. However it is important that we have appropriate insurance cover and we take reasonable and proportionate steps to protect all those who organise or take part in LALG activities, trips and events – by doing so we minimise the likelihood of accidents happening.

What happens if there is an accident or some other incident?

The person organising the activity, trip or event should complete an Incident Report form and send it to the LALG Secretary. A form should be completed even if the accident/incident is considered to be relatively trivial. If you are in any doubt please contact the LALG Secretary for advice.

What happens if a claim needs to be made?

Any claim should be dealt with by the LALG Committee, normally the Chair or Secretary. Please contact them for further information.

Confirmation of LALG's insurance cover

A copy of a letter from our insurers confirming our insurance cover is on LALG's website at lalg.org.uk/insurance. This letter will suffice to show proof of our cover. You may need to provide a copy of it to a third party, for example, if you are hiring a venue.

COVID-19 restrictions

LALG's guidelines for Group Contacts/event organisers have been agreed with our insurers and are available on LALG's website at lalg.org.uk/insurance.

The contents of this guidance note, have been approved by LALG's insurance broker, Keegan & Pennykid. It will be reviewed with them on an annual basis, usually when the insurance is renewed.

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Date of next review: July 2021