

12.24 INSURANCE FACTSHEET

A Church represents a complex risk due to the diversity of activity that goes on within and without it's walls.

Thirty plus years of experience has shown us a vast array of issues but even now there is still hardly a week goes by that new queries arise that we have not seen before. It would therefore be impossible within the context of this document to address all the issues but we have attempted to provide some pointers which we hope will assist you.

At the request of Church House, the contents of this fact sheet are concentrated on Youth Activities and represent the position of the insurance cover offered under our Congregational Facility with whom most Presbyterian Churches are insured. Should your Church be insured with a different provider we will of course, if at all possible, be able to provide any clarification that you may require upon request.

Public Liability

This section of cover is the main area under which most claims for accidental bodily injury or loss of or damage to the property of a third party arising from Church run activities will fall.

The Church insurance policy is designed to cover all those Church type activities that have been undertaken for years both in and away from the Church building such as team relay games, football, volleyball, basketball, rambling, Sunday School days away, visits to the swimming pool, pony trekking at approved Centres, weekend retreats etc. It is not designed to automatically include hazardous activities such as rock climbing, canoeing and as otherwise indicated below.

Scouts, Guides, Boys' Brigade and the Girl's Brigade do of course have their own specific insurance as provided via annual capitation fees which provides very wide protection and automatically covers most of their activities. These uniformed organisations should therefore check the full extent of the cover provided with their headquarters directly.

The Church policy will provide public liability cover for those persons deemed to be under age attending these organisations on the basis that they will not undertake any hazardous activities.

The day to day activities of all other affiliated Church organisations fall under the Church policy and therefore are subject to its exclusions, conditions and warranties.

It should be remembered that the policy of insurance in place belongs to the "Church" and not to any other legal entity. Although an organisation may be affiliated to the Church if it is subject to the rules and regulations of a separate board of trustees or to a separate and distinct code of conduct for example, at law such an organisation may be considered a legal entity in its own right and therefore would have to be insured under a standalone policy.

Should organisations other than Scouts, Guides, Boys' Brigade or Girl's Brigade within the Church wish to undertake a hazardous activity please ensure that the Church Secretary is informed well in advance so as any insurance extension necessary can be put in place.

Personal Accident

Personal Accident cover is provided for officers/leaders of the Church who may suffer injury during a Church organised activity. The exclusion of hazardous activities equally applies to this section of cover.

"Hazardous Activities"

In the list that follows we have detailed not only the most obvious type of activities that would be excluded but also those for which we have received enquiries over the years. We have categorised these into high, medium and low risk.

Hopefully you will appreciate that the type of activities listed within the “high” category are those that could not constitute a “normal Church type activity”. As such it has not been possible in the past to persuade insurers to offer cover, unless they are undertaken at outdoor pursuit’s centres that provide their own equipment, leadership and insurance.

For the activities listed in the other categories cover can usually be included following referral to Oval James.

Referral to us may simply involve the provision of some risk management advice on the one hand or result in the payment of an additional premium on the other.

For those activities that are referred to us we often will require the following additional information:

- Leader numbers, experience & qualifications
- Number of children
- Supervision ratios
- Dates & timescale
- Information on any past incidents

High Risk Activities:

Water Sports including Rafting	Potholing
Regattas	Racing other than on foot
Flying	Bonfires
Hang Gliding	Firework Displays
Hot Air Ballooning	Use of firearms including Clay Pigeon Shooting, Paint Ball & Try Skirmishing
Parachuting	Use power driven machinery / Tree Felling & Lopping
Any air-side activity	Winter Sports
Hunting on horseback	Physical Contact Sports (e.g. boxing, fencing, martial arts)
Motor Vehicles, Competitions / Go Karting	Overseas Building Projects
Motor Cycling	Mountain Biking
Mountaineering	Rugby
Cliff or Rock Climbing	American Football
Hazardous Activity weekends	Skateboarding

Medium Risk Activities:

Bouncy Castles/Bungee Runs & other Inflatable Equipment	Building Projects deemed to go beyond routine maintenance
Tractor Rides	Street Reach / Street BBQ's / "Party in the Park" type events
Gymkhana/Pony Rides/Rodeo Bull	Sleepovers in Church Premises
Archery/Rifle Shooting/Crockery Smashes/Darts Stall	Ice Skating
Mini Assault Courses, indoor and outdoor Fairground Rides	Overseas Travel
"It's a Knockout" Competitions	Products Exported Overseas
Football Competitions & Sports Camps	

Low Risk Activities:

Art Exhibitions/Flower Festivals/Auctions	
Sponsored Walks/Fun Runs	

The list should not be considered exhausted. Any similar activities to those listed will be treated in the same manner.

Should the Church feel that any particular activity is hazardous or outside the scope of a 'normal church activity' the details should be referred to us.

Apart from Activities, other commonly asked questions include:

Use of Vehicles

Where non-Church owned vehicles are used on Church "business" insurance cover should be provided by the vehicle driver's policy. The driver's policy must therefore be adequate and not rendered invalid by, for example, overloading. It would be prudent for the vehicle owner to inform his/her car insurance company of their role as a Youth Leader – for which you should not encounter additional terms being imposed. We also suggest that the Church may wish to make leaders and others aware of this issue. A sample can be provided on request.

Indemnity Agreements

If asked to sign one – **DON'T!** Commonly such agreements attempt to impose a liability on the Church for matters not only outside your control but also beyond common law and therefore beyond the protection afforded by your insurance policy.

Ages

Our policy does not contain any restrictions in cover relating to the age of children attending Church Organisations.

Adult to Child Supervision Ratios

Our policy does not contain specific guidance on ratios however the general "reasonable care condition" applies. Reasonable Care would be judged on the basis of the recommended ratios set out within Taking Care.

Cover Away from Church

Non-hazardous activities [such as day trips/residential programmes] are covered free from charge.

Church Fêtes

Generally the events undertaken at Church Fêtes are considered non-hazardous and are therefore covered automatically. If however the likes of a Bouncy Castle is to be used, then this should be referred.

Maintenance Work/Building Projects/Overseas

Additional Insurances may be required. Refer to Oval James for specific advice.

Child Protection

Taking Care should be adopted and implemented as this is considered the yardstick on which any decision would be made, with regard to where liability rests / whether cover will be offered in the event of a claim.

Legislation/Health & Safety/Risk Assessments

Your Church should be complying as far as reasonably practicable with all appropriate Health & Safety and other legislation in order to ensure that your premises are a safe environment. Youth groups can play an important part in this process by, in particular, reporting defects in premises to an appointed person. A joint liaison approach between Church Committee and Youth Organisations will benefit all in the mitigation of hazards that could have the potential to cause injury or loss.

Claims

Incidents can happen that result in a claim against the Church. Churches should therefore have a formal reporting procedure for incidents that result in injury, loss or damage. Such incidents should then be reported to Oval James in order to protect your interests should a formal claim be taken at some time in the future.

This fact sheet has been produced by Oval James who act as Insurance Brokers for the majority of Presbyterian Churches in Ireland. Any queries regarding the content of this document or on any other insurance related matter can be addressed in the first instance to:

Mr Gary Proctor, Divisional Director**Oval James**

Metropolitan Building

29/31 Alfred Street

Belfast BT2 8ED

Tel: **(028) 9024 1651** Fax: **(028) 9024 0441**

Email: **gary.proctor@ovaljames.com**

