



## SCOTTISH PETANQUE ASSOCIATION

### INSURANCE EXPLAINED

We often receive questions relating to the SPA insurance policy and specifically what it covers. The purpose of this document is to provide a high level overview of the insurance we have in place for our members and to provide some practical advice about procedures and best practice that clubs and members can follow to protect themselves.

The SPA' insurance policy is a '**Community Group Connect**' policy provided by **Ansvar Insurance** - specialist insurers for community groups and sports clubs. Ansvar is a division of Ecclesiastical Insurance Office plc.

The broker that the SPA has appointed to source suitable insurance on its behalf is **Clark Thomson, Chartered Insurance Brokers, Inverness**.

Our insurance policy includes three types of cover:

- Public Liability
- Officers' Liability
- Employers' Liability

### PUBLIC LIABILITY

A Public Liability insurance policy's purpose is to indemnify a member found liable for loss, damages etc following a claim made against the insured person by someone else for personal injury or damage to a third party's property . So for example should one of our members be found liable following an incident while they were playing in petanque which caused someone else to suffer a loss, the insurance is designed to meet the costs of settling a claim for financial compensation.

#### ***Why is Public Liability insurance important?***

Without this insurance, if someone sued you for loss or damages following something that happened when you were playing petanque and you were found to be liable, you'd have to settle the claim yourself which could have devastating consequences for you and your family.

#### ***What is the level of cover?***

The sum insured is £5,000,000. There is a policy excess of £250.

### ***Where and when am I covered?***

All SPA members are insured on the policy to play petanque at all times in any place in the United Kingdom. This includes competitions, club play, practice and social play.

Our policy **does not** cover our members while they are outside the United Kingdom, with the exception of Scotland squad players competing officially for the SPA in the European Union.

Players who compete in overseas competitions where an International Petanque Licence is required should be covered by the Public Liability Insurance that the hosts have in place, but it is always prudent to check this.

### ***Does it cover personal accidents?***

No. If you want cover to pay out a cash sum if you have an accident you will need to arrange this personally.

### ***What about non-members?***

In the normal course of club activity, potential new members may come to try out the sport, whether that be on an informal ad-hoc basis, or part of an organised come and try event. Potential members and participants in come and try sessions are covered by the Public Liability insurance. However this is only for a 'reasonable' amount of time - we suggest that if they attend on more than 3 occasions you should make them a member of the club to ensure they have insurance cover. A regular attendee who isn't a member of the SPA could find themselves uninsured.

### ***What happens if I play against someone who isn't insured?***

You do so at your own risk. If you need to make a claim against that person for loss or damages following an incident for which they are found liable and they have no insurance, they will have to settle the claim personally. However, your claim may be limited to the financial resources available to that person - i.e. you may not receive sufficient compensation to cover your loss.

## **OFFICERS' LIABILITY**

The insurance policy includes extended cover for Officers of the SPA and of all our affiliated clubs. The SPA, in common with all affiliated clubs, is an 'unincorporated body'. This is a simple legal structure where, typically, the organisation is formalised by way of a constitution and appoints office bearers to be responsible for the management and assets of the organisation on behalf of its members.

The problem with unincorporated bodies is that the officers of the association or club carry unlimited liability for the losses of the organisation. This means that, should the SPA or a club be sued for loss or damages for which the organisation is found liable, the office bearers are therefore held jointly liable. Without insurance, the officers of the club or the SPA may have to settle a claim **from their own resources**.

Those who make claims for compensation could easily make a claim against both the individual concerned and also against the organiser or host (for example if an incident occurred during a club's open competition a claim may also be made against the host club). This insurance is designed to indemnify officers in these circumstances.

Cover is provided only to those who have been properly appointed or elected to a position of office in accordance with your club's constitution or governing document. The sum insured is £1,000,000 and there is a policy excess of £250.

## **EMPLOYERS' LIABILITY**

Our insurance policy provides cover for the SPA and our clubs against claims made by anyone that acts for the association or club as part of its function. So, for example, if you ask someone to volunteer at an event your club is hosting and an incident occurs for which you club is found liable, a successful claim for compensation by the volunteer (the 'employee') against the club will be covered by the insurance. The sum insured is £10,000,000.

## **BEST PRACTICE**

- Keep a register of everyone (members and visitors) who attends your club, including competitions, regular club days, taster sessions, practices etc.
- Conduct a risk assessment for the activities your club undertakes, ensure you communicate the risks to your members and visitors and have a procedure in place for managing risks.
- Maintain an incident book at your club and record all incidents, however minor, including date, time, what happened, who was involved and who organised the event.
- If you are involved in an incident, **do not** admit liability or offer compensation. This could invalidate any claim on the insurance policy. Provide detailed notes of the incident to the SPA, who will obtain guidance from the insurance broker.

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