

## 2015 Appendix 2 re Insurance

At the January meeting we discussed some of the clarifications that arose from the teleconference in November 2014.

- This was not member insurance but covered the committee and trustees 'for their legal liability to meet any claims arising for accidental injury to third parties and/or damage to their property where you or your group are at fault.'
- This was not members insurance nor does it cover buildings or machinery. It was not possible for us to extend it to do this given the nature and complexity of the group.
- Associations needed to ensure they constantly review their activities to make sure hazards were identified and made safe rather than rely on insurance.
- There was a question asked regarding the amount of petrol that could be kept in a shed before petrol storage regulations were applicable.
- It was stressed that associations would take responsibility for keeping updated with insurance issues by reading the schedule/policy.
- The likelihood is that each association will have to complete a form stating

Zurich were not saying we had no insurance for members volunteering on the site but that this cover for volunteers which is what we used EL for, was now in Public Liability

Jonathan Clark (Trap Grounds) kindly sent me the following information after the January meeting.

I just found [this](#) reference to Zurich as a specialist in providing insurance for the voluntary sector. Specifically it states that volunteers must be mentioned explicitly in the policy documentation.

On 24 January 2015 at 12:22, Wendy Skinner Smith <[wendy@wendyskinnersmith.co.uk](mailto:wendy@wendyskinnersmith.co.uk)> wrote:

Thanks Jonathan, this was always my understanding. I will make sure I hang onto this and use it when we check. It is not that we do not have it but that it is not separate as now IN with public liability.

Jonathan Clark (Trap Grounds) further sent the following information

Have you seen this guidance produced by the Charity Commission?

Section 5.11 thanks Zurich for their help in compiling it (and Ecclesiastical).

Section 2.4 states that volunteers should be treated as employees

"The short answer -For insurance purposes, charities are advised to treat volunteers in the same way as they do their employees and to ensure that they are covered by the usual types of insurance a charity might buy, such as employers' liability or public liability cover." Might be worth pointing it out to Zurich.

Jonathan.

**After our meeting in January we contacted Zurich again and received the following information**

**Re Customer Name: Oxford Federation of Allotment Associations**

**Policy Number: XAO-122024-2673**

I am writing with regards to the above policy and our telephone conversation yesterday. Following our conversation I am happy to be able to confirm the following definition of a volunteer on your policy.

From pages 7 & 9 of the policy wording I attach the definitions of an Employee and Volunteer as below:

### **Employee**

Any natural person who is:

- a) under a contract of service or apprenticeship with you

b) under a work experience or similar scheme  
c) hired or borrowed by you from another employer  
and working for you in connection with the business while under your direct control or supervision.  
(It was stated for eg if you were hiring a builder you would not take out employer liability but would ensure the builder had proper insurance.)

**Volunteer**

Any person volunteering to assist or co-opted to assist you in the business.

Please also refer to pages 44-45, under Part E - Public and Products Liability,  
Section 2 - The Cover

Section 2 – The Cover

We will indemnify you in respect of all sums which you may become legally liable to pay as damages in respect of:

a) accidental Injury to any person other than an Employee

b) accidental damage to property

occurring during the period of insurance within the Geographical Limits in the business.

In addition to the limit of indemnity we will pay Costs and Expenses.

From this we can see that volunteers are covered under the Public Liability part of the wording, and I hope this clears up any confusion.

Please find attached a copy of our renewal declaration. As discussed we are reviewing the policy in full this year and therefore will require all of the groups to complete this document prior to the renewal date. This ensures we have up to date information about all of the groups for our records and can make sure the policy is suitable to cover all of their activities. We would be grateful if you could distribute this to all of the groups on the policy.

Also following on from our conversation regarding the federation meeting in April, we are happy for you to collate any questions from the groups at the meeting and to feed them back to us for response afterward. Please could you also send us an up to date correspondence address for our records.

- I hope this answers all of your queries but if you have any further questions please do not hesitate to contact me.

Kind regards Hannah Wilde Municipal Markets Team