



U3A Insurance

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Agenda



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1. Introduction

2. Portfolio Structure

3. Policies

- the need
- the cover
- the exclusions
- practical application

4. Claims

5. Frequently asked Questions

U3A & Insurance

“To make an arrangement for the payment of a sum of money in the event of loss or injury”

2018 cost equates to 17p per member – including 12% tax!



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**National Office – December 2006, non building costs;
£194,248.90
Building reinstatement cost not known.**



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Portfolio Structure

Insurance Year – 1st January to 31st December

- Aviva Public, Community & Charities Policy “Combined”
- Pen Underwriting Public & Products Liability Excess Layer
- Aviva Charity Trustees Management Liability Policy – GROUPS
- Aviva Charity Trustees Management Liability Policy – TRUST
- Touchstone Underwriting Tour Operators Liability

Aviva Public, Community & Charities Policy



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- National Office -

Contents, Resource Centre, Business Interruption, Money, Fidelity Guarantee, Employers' Liability, Public & Products Liability, Legal Expenses and Professional Indemnity

- Groups "All Risks" – to protect assets

Automatic £25,000 limit per group and anywhere in the UK

Replacement basis of settlement

EXCLUSIONS – wear & tear, normal use, inherent vice etc. THEFT of equipment not secured whilst not in use, ie locked cupboards.

APPLICATIONS – must be secure when unattended. £100 excess.

Aviva Public, Community & Charities Policy



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- Home Contents – to protect against minor damage
Automatic £25,000 limit and anywhere in the UK
First Party Cover – ie no test of negligence
Replacement basis of cover

EXCLUSIONS – as above. Only applicable during U3A activity. £100 excess.

APPLICATIONS – limited cover for minor incidents & not a replacement for home owners own cover.

- Money – to recover loss
£1,000 limit per group
Cover anywhere in UK
Includes assault cover

EXCLUSIONS – accounting losses

APPLICATIONS – includes at members homes and whilst in transit.

Aviva Public, Community & Charities Policy



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- Public & Products Liability – indemnify against responsibility for injury.

£5,000,000 limit

Legal liability for injury or damage caused to third parties

Member to member extension

Third Party Property Damage Excess only – Not applicable to injury

EXCLUSIONS – property hired by you, employees, recalling etc products, Road Traffic Act requirements, aircraft & offshore etc, watercraft exceeding 8m in length !

Weapons, passenger carrying amusement devices, animal rides, ballooning or aerial activities including parachuting, paragliding or parascending, go-karting, quad biking or motor sports, bungee jumping, professional sport teams or persons, racing or time trials other than on foot etc.

Aviva Public, Community & Charities Policy



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APPLICATIONS

- “Business” description

“the advancement of education and in particular the education of older people and those retired from full time work by means including associated activities conducive to learning and personal development”

List of approved activities – THERE ISN'T ONE !!!!!!!
U3A is duty bound to make a fair presentation of risk

Risk Assessments – policy says “take all reasonable precautions to prevent.....” & “comply with all legal requirements and safety regulations and conduct the business in a lawful manner.”

Group Leaders & Tutor Qualifications

- Non members
- Fund raising / promotional events
- Dogs & children
- Hired premises
- Travel ; Europe
- Paid tutors / speakers
- Employees
- First Aid

Pen Underwriting Public & Products Excess Layer



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This policy increases the total public liability limit of cover up to £10m.

Terms & Conditions as per the Aviva cover.

Touchstone Underwriting Tour Operators Liability



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Professional Indemnity when acting as a Tour Operator – making arrangements for travel and places to stay.

What is the need ? The trip is not as described.....

Civil liability for breach of professional duty.

£1m limit.

Always use a Travel Agent where possible.

Applications ;

- Not a Travel or Personal Accident policy.
- Public Liability is more relevant to day trips.

Charity Trustees Management Liability Policy – U3A's

- Directors & Officers Liability – to address potential personal liability

Cover is for “wrongful act”

“Any actual or alleged

- (1) breach of duty including fiduciary or statutory duty
- (2) negligent act, error or omission
- (3) defamation committed in good faith
- (4) breach of warranty of authority
- (5) misstatement or misleading statement
- (6) wrongful trading

committed by an Insured Person in their capacity as a director, **officer or trustee** of The Charity”

Charity Trustees Management Liability Policy – U3A's



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- Charity Reimbursement – to reimburse the charity if they are permitted to indemnify the individual
- Charity Liability – to address potential entity liability
- Bodily Injury Defence Costs – governance accusation made following an injury incident
- Loss of Documents –
- Legal Representation Expenses – if called to a formal investigation

Charity Trustees Management Liability Policy – U3A's



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Exclusions

- (1) Claims arising from proceedings previously issued or about to be
- (2) CIRCUMSTANCE THAT MIGHT GIVE RISE TO A CLAIM WHICH AN INSURED PERSON OR THE CHARITY SHOULD AFTER REASONABLE ENQUIRY HAVE BEEN MADE AWARE PRIOR TO INCEPTION
- (3) Any dishonest or fraudulent act or omission by an insured person
- (4) Arising from the failure to provide professional services or professional advice
- (5) Bodily injury other than Defence Costs
- (6) Outside territorial limits & UK jurisdiction
- (7) Insured – V – Insured but this exclusion doesn't apply to individuals.

Application

- Loss of data following unauthorised computer access IS insured. Full “Cyber” insurance is under consideration.
- Committee member disputes. Racism, libel & slander, incompetence, unfit for office, accusations of rudeness, outside U3A activity etc.
- National Office Intervention – Dispute Resolution, Safe Guarding etc
- Formal accusation against an officer or trustee.
- Claim – “any demand whether oral or in writing, for damages or compensation.”

Claims – Public Liability



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- Cycling - U3A member crossing main road as part of a group and was knocked from her bicycle by a speeding motorcyclist and was seriously injured. 10% liability attached to the U3A. Total cost of incident in excess of £500k.
- Church Hall Hire – member attempt to force open a fire door in the wrong direction and pulled off the door handle before falling to the ground. Settled against the U3A as Risk Assessment of the venue hadn't picked up how the door should be operated. The hall were able to evidence regular maintenance of the venue.
- Christmas Party Fall – member fell at drama group performance whilst walking within an area that had been designated as a non thoroughfare. Claim repudiated.
- Door framed damaged by motorised wheelchair. Settled.
- Table tennis fall. Insurers of the hall have denied liability as the condition of the floor was made clear to the U3A who hired the premises. U3A also assessed the suitability of the floor and moved the play location to a non defective area of the hall. Denial of liability being maintained.

Claims – Public Liability

- Table tennis fall. Member playing doubles collided with other player and fell. No formal claim submitted.
- Table tennis fall. Member stumbled and fell into some stacked chairs positioned too close to the court. Claim redirected to the leisure centre involved.
- Guest speaker hit when screen being taken down. No formal claim submitted.
- Gentleman went into the rear of a car & cracked windscreen with his head. Motor insurer was Aviva.
- Member operated an automatic garage door at another member's home & brought it down on a car.

Claims – Management Liability

- Individual removed from executive committee with allegations of harassment. Formal claim made and solicitors appointed to defend which was successful. Own costs only £7,048.12
- Libel claim made against two committee members. Claim upheld and settled at £8,895.83 including costs.
- Alleged racist remarks made following a U3A meeting, apology made and accepted and incident closed. NO CLAIM
- Sex offender sought membership which was declined on the basis safeguarding rules prevented. NO CLAIM – NATIONAL OFFICE
- Member accused of poor behaviour and sought a formal apology from the committee. Both parties appointed their own legal representatives, dispute not resolved as no loss established. NO CLAIM

Claims – Management Liability

- Alleged discrimination against a wheelchair user who was not invited to attend a home activity on the basis of difficult access. NO CLAIM – NATIONAL OFFICE
- Laptop stolen from member's home which contained names and addresses of all members. NO CLAIM.
- Membership withdrawn because of unreasonable behaviour. NO CLAIM
- Member convicted of sending indecent images outside of the U3A. Membership rescinded. NO CLAIM – NATIONAL OFFICE
- Accusation of bullying within a committee. NO CLAIM – NATIONAL OFFICE
- Gift Aid & HMRC. Previous treasurer had wrongly accounted for Gift Aid, error notified to HMRC who took no further action.

Claims – Assets & Money



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- Robbery at bank – U3A member robbed whilst waiting to pay money into the U3A account. Settled.
- Greenhouse destroyed by storm. Settled.
- Break into allotment shed. Settled.
- Theft of U3A money from member's home. Settled.
- Wine spilled on carpet at member's home. Settled.
- Accidental damage to member's laptop. Settled wrongly by insurers, there is NO COVER for member's personal effects / contents whilst attending U3A activities away from their home.
- Damage to vases at member's home. Settled.
- Theft of dance system. Settled.
- Accidental damage to carpet bowls carpet. Settled.
- Accidental damage to marquee & gazebos. Settled.
- DVD player failed to work. Claim denied as not accidental damage.
- Loss of Christmas Party money inadvertently paid to fraudsters who had hacked into a hotel's computer system.



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Frequently Asked Questions

1. Is my activity insured ?
2. Can my partner attend a particular U3A event ?
3. How do we stand with possible new members who want to attend a couple of “taster” sessions ?
4. What about carers attending ?
5. Can grandchildren attend U3A activity ?
6. Can I bring my dog to a walking group ?
7. Am I insured when using my car for U3A activity ?
8. What incidents should we report and when ?
9. How do we notify a new claim ?
10. Are public performances “insured” ?
11. What are my duties as a trustee and / committee member ?



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Thank You!