

British Mountaineering Council Summary of Clubs' Combined Liability Insurance

The Sport & Recreation team at Howden Insurance Brokers provides advice and assistance to more than 300 National Governing & Representative Bodies of Sport and Recreation, and more than 3 million individual participants, throughout the UK.

Our experience is such that we are able to provide a flexible service so as to cater for the complex but uniquely different needs of those involved in Sport and Recreation.

For reasons explained in the following cover explanations we believe that the Insurance Scheme for British Mountaineering (BMC) clubs meets the demands of an individual BMC Club.

Insurance Scheme for BMC Clubs and Associations

Continued litigation reinforces the need for all sports organisations to have full and appropriate insurance protection. Without it you could be held personally financially liable to compensate for losses for which you do not hold valid insurance.

The following covers provided are summarised over the page. We emphasise that details are a summary only. A specimen full Liability policy wording is available to view at

www.bmc-insurance-centre.co.uk

Combined Liability

Provides protection from the consequences of claims against a BMC Club, Club member, committee member, trustee or volunteer for injury, financial loss or damage to property, where negligence occurs.

Instructors must obtain their own cover direct from Howden Insurance Brokers Ltd at www.247sportsinsurance.co.uk or by telephone 0121 698 8160

Please note: This cover does not provide an automatic payment for injuries which would normally be the province of Personal Accident insurance. Personal Accident insurance is included as a benefit of an individual membership of the BMC

Material Facts

The insurance is provided on the basis that at the time of your membership renewal you have declared any relevant material facts which may affect the cover, including:

- Any incidents which you know about which may cause a claim on the policy
- Any criminal convictions (other than road traffic offences) or are currently declared bankrupt
- You are a fully paid affiliated club or Association of BMC
- You abide by the terms of the current BMC Child Protection Policies

Outline of cover

All BMC clubs have a responsibility to ensure that anything they do does not cause injury or financial loss to others or damage to property. If they do, and negligence is proved, they could become legally liable to pay compensation. Accidents in mountaineering can and will happen and in this litigious age, members are vulnerable to claims that can sometimes involve very large sums of money.

Combined Liability provides a breadth of cover that is rarely available through non-specialist brokers.

Appropriate cover is therefore essential. Combined Liability provides cover for legal liability under civil law to the general public for personal injury or damage to third party property.

Important

The Combined Liability cover is provided on a “claims made” basis - which means that there has to be a policy in force at the time at which the incident is first reported to us, not necessarily at the time the activity was undertaken. Once a policy is cancelled, no cover is provided for claims that are notified after the date of cancellation. It is therefore essential that all incidents or circumstances that might give rise to a claim are reported to Howden Insurance Brokers immediately.

Limit of Indemnity

Combined Liability

- £15,000,000 any one event
- £15,000,000 any one period of cover for products/pollution

For clubs that are not permanently in the UK, the total limit for Public Liability is £10 million.

Professional Indemnity

- £10,000,000 any one claim and period of cover

Directors and Officers Liability

- £10,000,000 any one claim and period of cover

The Limit of Indemnity is the maximum amount of damages insurers will pay in relation to the settlement of claims. **There is no Policy excess.**

You must report every claim and any incident that is likely to give rise to a claim in the future.

Geographical Limits

Cover is applicable worldwide, subject to the exclusion of any legal action brought against the insured in a court of Law within the USA/Canada. This does not mean that activities in the USA/Canada are excluded, simply that legal actions brought in the USA/Canada are excluded.

Combined liability includes the following covers:

Public Liability	Accidental bodily injury to third parties and/or damage to third party property arising out of your insured activities
Products Liability	Accidental bodily injury to third parties and/or damage to third party property arising out of any goods sold or supplied by you (including refreshments)
Provision of Advice	Loss (financial or otherwise) arising out of Errors and Omissions. For example, bad advice (instruction/coaching) or failure to act
Libel and Slander	Protection against the consequences of defamatory statements, this is important in respect of any communications produced, or forums held online
Abuse	Abuse concerning children and vulnerable adults. Protection for damages awarded against the organisation (specifically for abuse, the alleged individual perpetrators does not receive any cover
Directors and Officers	Protection for director, officers and senior managers against claims arising from their decisions or actions taken

The shaded areas of the table are sections of cover provided by the Combined Liability policy over and above those of a standard Public Liability policy.

Insured Activities

The following are recognised by the BMC and its insurers as authorised activities which are covered under this policy:

- Mountaineering activities: Winter and summer mountaineering, ski mountaineering, ski touring, scrambling and via ferrata. Rock climbing, bouldering, climbing on artificial climbing walls (indoor and outdoor, including competition climbing), using climbing specific training apparatus (campus and finger boards) in public climbing wall facilities, route setting, abseiling. Hill walking, low-level walking, guided walks, fell and mountain running, navigation, orienteering, gorge-walking, canyoning and camping. Tyrolean traversing, coasteering, slack lining (excluding high lining), emergency first aid in the outdoors and dry tooling. **Note: club members are covered for these activities whether undertaken as part of a club meet or on an individual/personal basis**
- Secondary activities (i.e. activities which are not the main activities of the club). These include cycling, mountain biking, canoeing, kayaking, caving and potholing (excluding the use of explosives and underwater exploration), mine exploration of an existing mine subject to the appropriate legal permission and not for the purposes of `developing` or `mining` the existing mine **Notes:** club members are covered for these activities but in the context of club meets only.
- Maintenance of mountaineering huts(excluding work above 3m, use of chainsaws, work on gas appliances and electrical work requiring a Part P certification unless confirmed by insurers in advance **Note: club members are covered for these activities in the context of club meets only.**
- Includes cover for route setters (individuals who set routes on climbing walls) working as labour only sub-contractors at BMC events

The policy also extends to provide cover in respect to the following:

- Liabilities for club members who are sued as a result of an incident involving members' domestic dogs when the dog is accompanying a member on a club meet.
- Indemnity to any person hiring or loaning land to a club in respect of legal liability for which the insured club would have been entitled to indemnity under this policy
- Representation on any management committee or acting as a trustee with respect to the operation of mountaineering huts

Principal Exclusions

Liability arising out of:

- Deliberate, dishonest or criminal acts of the Insured
- Injury to Employees
- Ownership or use of any vehicle, aircraft, hovercraft or water-borne craft
- Damage to data
- Loss of or damage to your own property
- Medical malpractice (unless first-aid provided by the coach which is included)
- Abuse in respect of the individual accused or alleged to have committed abuse or have ignored/condoned or permitted abuse
- Incidents/claims known to you but not reported to insurers
- Product guarantee or recall, repair or replacement
- Residents outside of Great Britain and Northern Ireland, Isle of Man, Channel Isles, and Republic of Ireland.
- Incidents prior to becoming a member of BMC or, if there has been a break in membership, prior to the most recent date of joining.

It is not the intention of this insurance to provide cover for qualified instructors who are charging for their services.

Employers Liability

Cover can be extended to include an indemnity to protect the club in respect of legal liability for damages and legal costs arising out of death or injury caused to employees in the course of their employment

Should you require Employers Liability, we can provide this without additional premium. The limit of indemnity per incident will be £10 million with the exception of terrorism which will be limited to £5 million per period.

Please contact Howden Insurance Brokers on 0121 698 8156 or email sportsenquiry@howdengroup.com, or visit the clubs section of the BMC insurance centre website.

The information contained in this summary is confined to general Policy details. Specific terms and conditions are available for inspection or clarification from:

Howden Insurance Brokers Limited
Tricorn House
51-53 Hagley Road
Birmingham
B16 8TP
T: 0121 698 8000 | F: 0121 625 9000

Web: www.bmc-insurance-centre.co.uk

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Hiscox plc is a company registered in England and Wales under company registration number 2837811. Registered office 1 Great St Helen's, London, EC3A 6HX

Excess Public Liability insurance (£5m in excess of £5m) is provided by Allianz & Royal Sun Alliance

Allianz 57 Ladymead, Guilford, Surrey GU1 1DB. Allianz is authorised by the Prudential Regulation Authority and regulated by the Financial Conduct and the Prudential Regulation Authority RSA registered in England and Wales at St Mark's Court, Chart Way, Horsham, West Sussex RH12 1XL Royal & Sun Alliance (RSA) is authorised and regulated by the Financial Services Authority

Excess Public Liability insurance (£5m in excess of £10m) is provided by QBE UK Limited

Registered Office: 30 Fenchurch Street, London EC3M 3BD

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