

Insurance

Insurance protects both the organisation and volunteers. Volunteers should be covered under an employer's liability insurance and an organisation's public liability insurance. Depending on the type of role the organisation may also need professional indemnity insurance. Policies should explicitly mention volunteers and insurance companies should be aware of the roles and tasks volunteers are undertaking. All volunteer-involving organisations should have an insurance policy that explicitly mentions volunteers.

Volunteers (like paid staff) may face risks of personal injury, liability for accidents, loss of property and damage to property. The legal position is often complex, but the organisation may be ultimately liable for such risks. Liability often hinges on whether the organisation has taken 'reasonable care'. Even if a volunteer acts improperly or incompetently and, as a result, someone is injured or property is damaged, if the volunteer's work was 'authorised', the organisation could be held liable. The volunteer could also be personally liable.

In general, the organisation may be held liable if it:

- failed to take sufficient care in its selection of volunteers
- failed to assess and minimise risks
- failed to provide training or supervision appropriate to the safe execution of tasks
- failed to meet its obligations as an 'occupier' of premises

Good recruitment and selection practice can provide a level of protection. Organisations must ensure that their selection procedures succeed in recruiting volunteers suitable for the role and:

- provide sufficient training to enable the volunteers to carry out the tasks required by the role
- define the nature and precise limits of volunteers' role/tasks undertaken and make sure volunteers understand them
- adequately supervise volunteers, especially those new to the role
- guarantee a safe working environment for volunteers

Types of Insurance Policy

All volunteer-involving organisations should have an insurance policy that covers volunteers. There are several different types of policy, so it is often confusing to work out which is/are the most appropriate.

Volunteers should be covered under either employer's liability insurance or public liability insurance. Depending on the type of role or tasks involved, the organisation may need professional indemnity insurance as well. Policies should explicitly mention volunteers because they may not automatically be covered. Insurance companies should also be aware of the types of roles and tasks that volunteers are performing, because if the tasks are high-risk then the insurance policies may have to be changed to accommodate these risks.

Employer's Liability Insurance

This covers paid employees in the event of accident, disease or injury caused or made worse



because of work or of employer's negligence. However, this insurance does not automatically cover volunteers. There is no obligation to extend the policy to cover volunteers, but it is good practice to do so. The policy must explicitly mention volunteers if they are to be covered by it.

Public Liability Insurance

This should always explicitly mention volunteers. Also known as third party insurance, it protects the organisation for claims by members of the public for death, illness, loss, injury, or accident caused by the negligence of the organisation. Public liability insurance generally covers anybody other than employees who come into contact with the organisation. This should include volunteers, covering them against loss or injury caused by negligence of the organisation if they are not covered under the employer's liability insurance. It also protects for loss or damage to property caused through the negligence of someone acting with the authority of the organisation, which would include the actions of volunteers.

Public liability cover should clearly cover loss or injury caused by volunteers. In some cases a volunteer could be sued as an individual for damage caused to a third party, so the organisation's public liability insurance should indemnify them against this.

Professional Liability

Professional liability, professional indemnity errors and omissions or malpractice insurance covers the organisation for claims arising from loss or injury caused by services provided negligently or without reasonable care. Such loss might arise, for example, from incorrect care or inaccurate advice. An organisation can be sued for claims arising from incorrect advice or information even if it is given free or via a telephone helpline.

Professional liability insurance should also cover defamation, inadvertent breach of copyright, confidentiality, and loss of documents.

Personal Accident Insurance

This covers volunteers in the event of injury, accident, or death for which the organisation has no liability. There is likely to be an upper age limit on this form of insurance. This does not mean that people above this age cannot volunteer, but they should be aware that they are not covered for accidents where the organisation has not been at fault. Injuries to them arising from negligence would still be covered under liability insurance cover.

Insurance for volunteer drivers

If an organisation owns the vehicle being used, then it is responsible for arranging insurance. If the volunteer owns the vehicle, then he or she is responsible for arranging insurance and informing the insurer about his/her volunteer driving. If a driver has an

accident during their volunteering and there is a problem with the insurance for that vehicle, the organisation could be held responsible, whether it owns the vehicle involved. The organisation can take out a Contingent Liability Policy to protect it from this risk.

Further information

- The volunteer resource website contains listings of specialist insurance brokers and policies: http://www.volresource.org.uk/services/serv_ins.htm



- The Association of British Insurers. Tel: 020 7600 3333 Website:
<http://www.abi.org.uk>
- Volunteering England Good Practice Bank:
<http://www.volunteering.org.uk/goodpractice>