

**NETHER WALLOP PARISH COUNCIL**

**Email from Council's Insurance Brokers.**

Dear Gail,

Further to our recent telephone conversation in relation to volunteers and working groups and the subsequent required insurances, this is a very common situation we see as we understand that local Councils rely heavily on volunteers and other groups, who all assist with carrying out duties to benefit the local community including events. However, from an insurance point of view, the party who is responsible for the actions and activities of volunteers and groups and/or events, also holds the 'insurable interest' and are the only party who can insure against the associated risks.

Therefore, for the Parish Council to be considered liable for a group or someone's actions that leads to a claim (usually under Public Liability), the Council will need to have formally accepted full responsibility of ALL actions being carried out prior to these commencing. This should be recorded in writing so for Councils the usual way is for this to be discussed and approved at a Council meeting and clearly noted in the minutes or be part of some kind of formal agreement/contract.

As a specialist insurance broker providing cover for local councils and not-for-profit groups, we strongly recommend that our policyholders only accept the responsibility of volunteers or working groups where they have full control over the tasks and activities being carried out, with these formally approved collectively by the Council/responsible group and recorded in writing. The party accepting this responsibility should take into account the fact that should a claim occur, it will affect their future insurance premiums negatively, as well as potential issues with obtaining future coverage and, in the Council's case, this will likely lead to a requirement for a greater precept with this passed down by way of an increase in Council Tax costs to residents.

Therefore, unless a volunteer or local working group are carrying out activities and tasks EXCLUSIVELY on behalf of the Council with their prior approval, we advise that the Council do NOT accept responsibility for this and the volunteer(s)/group arrange for their own insurance to cover their liabilities as our policy will NOT extend to cover these and any individuals involved are likely to be held personally responsible for any injury or damage claims resulting from their actions.

We would certainly have no issues with the volunteer(s)/group carrying out their tasks even if these are on Council-land or premises, but we would expect them to have their own Public Liability insurance in place and provide the Council with a copy for their records.

The party responsible for carrying out and organising activities and events that benefit the local community also need to ensure all volunteers are competent to carry out the expected tasks and therefore should also carry out risk assessments and keep a list of any volunteers involved, again with both kept on file to evidence due diligence and that measures have been made to reduce the chances of a claim, as these will both enable the respective insurer to disprove any suggestions of negligence against their insured and push back on any potential claims. I have attached a volunteer document which can be used by the Council and/or any separate working groups and includes a sample risk assessment and template volunteer list.

I trust this clarifies the insurance position but please let me know if you need anything else.

**Kind Regards**

**Mark Alexander Cert CII, BA (Hons)**

Client Adviser