

Perkins Slade Sports Civil Liability Frequently Asked Questions

General

What is Civil Liability Sports Insurance?

Perkins Slade (PS) Sports Liability Insurance provides cover for legal liability following negligence, nuisance or trespass. Unlike simple Public Liability cover, BADMINTON England Civil Liability insurance automatically includes several other liability needs represented by the shaded areas on the table below.

• 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)
• Professional Indemnity	Loss (financial or otherwise) arising out of Errors and Omissions. For example, bad advice (instruction/coaching) or failure to act
• Libel and Slander	Important in respect of any newsletters / brochures you may produce, or internet forums held on your website
• Abuse	Abuse concerning children and vulnerable adults. Protection for damages awarded against the organisation (specifically for abuse, the alleged individual perpetrator does not receive any cover)
• Directors and Officers	Protection for directors, officers and senior managers against claims arising from their decisions or actions taken whilst managing the organisation
• Employers Liability (applicable to County Associations and Clubs only)	Protection is provided in respect of legal liability for damages and legal costs arising out of death or bodily injury caused to employees, and volunteer (non paid) employees in the course of their employment with the insured.

How do I get Sports Liability Insurance?

Once your club becomes affiliated to BADMINTON England and we have received your payment your club and members' within your club, if listed, are covered by the Sports Liability Insurance that we have provided to us by Perkins Slade. If anybody plays within your club who is not listed or recorded as a visitor you will be invalidating your insurance cover. Registered Coaches and OnCourt Direct members are also covered by this insurance.

How is Employers' Liability different to Public Liability?

Employers' Liability protects employers in the event of an injury to an employee in circumstances where the employer is legally responsible. Public Liability protects the Registered Coach or club where a member or member of the public is injured or their property is damaged and the injury or damage is caused by the club or instructor.

What is 'Claims Made'?

'Claims Made' means that there has to be a policy in force at the time of which the incident was first reported to insurers and also at the time the activity was undertaken. Once the policy is cancelled no cover will be provided for claims that are notified after the date of cancellation. All potential claims and incidents should be reported immediately and a Declaration of Incidents would be required at renewal.

Does the cover include any legal expenses?

PS Sports Liability provides the legal costs and expenses in connection with defending you for claims where either injury or damage to property is alleged. It also includes expenses for the defence of employment practices disputes where you are a Director, Officer or Committee member of the club.

Why do I need Libel and Slander?

Issues can arise from comments innocently made on your web sites, articles, opinions or emails written which could potentially be libellous.

Does the policy cover anyone who is not a resident in England?

An instructor must reside full time in England to be eligible for the policy and clubs that require cover must be located within England and all members must also live in England.

If I am injured can I claim on the policy provided by BADMINTON England?

No. If you are injured you should seek legal advice on how to pursue a claim against the person responsible for causing your injury. The PS Sports Liability policy is a policy to protect the insured in the event that they are sued by another party.

Does the Civil Liability provide cover anywhere in the world?

The policy will cover the insured anywhere in the world (with certain exceptions in respect of USA/Canada) provided you are on an official trip undertaken and are participating in an insured activity.

Are there any excesses on the policy?

No, there are no excesses applicable to any claim under the policy.

I have a UK passport but I live abroad, am I still covered?

PS Sports Liability cover can only cover persons who are resident in England.

I am moving out of England, will I still be covered by the insurance?

No. This is a Material Fact and you will need to advise Perkins Slade Ltd on 0121 698 8050.

Are there any age restrictions applicable to the Civil Liability cover?

The only age eligibility criterion is that all Registered Coaches should be 18 years of age and over. There are no age restrictions within the policy.

Who do I need to tell about accidents?

You need to advise PS of any incident which involves a member or a member of the public being seriously hurt. Incident Notification Guidelines are available elsewhere on this web site. If you need further assistance and would like to discuss the incident with anyone please call Perkins Slade on 0121 698 8046.

Is there a time limit for making a claim under the policy?

You should notify Perkin Slade as **soon as you become aware** of any serious injury or damage to someone else's property. The policy is written on a 'claims made' wording which means the policy must be in force at the time the incident occurs and the claim must be made and advised to the insurer whilst the policy is in force. It is therefore vital that all incidents are reported as soon as you become aware of them.

I have received a letter from a solicitor from someone making a claim against me/my club, what should I do?

Speak to Perkins Slade Claim's Department as soon as possible on 0121 698 8046. They will advise you of what action to take.

What do I do if I lose my Insurance Certificate / Notification Guidelines?

A duplicate certificate is available elsewhere on this web site.

Club Specific Questions

Can I include someone else on my club policy?

Once a club has affiliated and BADMINTON England has received payment the club affiliation will be activated. The Sports Liability policy will automatically cover the club committee and officers and, in most cases, the members of the club, as long as they are listed in your club members list. However, sometimes a Local Authority will request to be added to the cover (if you are using their sports hall). This is catered for within the definition of who is insured which includes person's hiring or loaning property to your club.

If I am a Club Official what protection do I get?

As a Club Official you may not appreciate that the constitution of your club almost certainly makes you personally liable for the liability of your club and the actions of your members. PS Sports Liability provides Directors' and Officers' cover in order to protect you if you are sued for a negligent decision. As an example we frequently have claims following internal disciplinary disputes leading to exclusion of a member/ or coach. This can lead to legal action for failing to follow the club constitution, or the current human rights legislation.

I thought only Trustees needed Directors' and Officers' cover?

Trustees will usually sign legal documentation for the club. However, the constitution will extend liability to all Club Officials or members acting on behalf of the Committee / Club.

My employees and volunteers are included on the Civil Liability policy, why do I need Employers' liability as well?

If you have Civil Liability insurance you are insured for liability incurred by volunteers and employees following their negligent acts. Employers' Liability provides protection to you, as the employer, in the event any of the volunteers or employees becoming injured and suing you for negligence.

We only have unpaid volunteers, do we need Employers' Liability?

Under British law you can still be called an employee even if you are not paid. Our advice would always be to ensure Employers' Liability insurance is in place.

Why do I need £10,000,000 limit of indemnity?

In the event of a claim your limit of indemnity is the maximum your policy will pay. Court awards are increasing and, because of this, our advice would be to have a minimum of £10,000,000 indemnity on your policy. This is automatically provided as part of your affiliation to BADMINTON England

Is the limit of indemnity the same for all sections of the PS Sports Liability policy?

There are separate limits of £2,500,000 for the abuse section, £1,000,000 for the Employment Practices Liability and £250,000 for Pollution and Defence costs in the Directors' and Officers' section. In addition to defence of injury /damage claims in a Civil Court, which are covered as part of the basic cover, the policy extends to include £250,000 in respect of defence of actions by the Health and safety at Work and Consumer protection legislation.

Are any non-members covered?

No, if they are injured whilst participating in the activities of the club and the officials, or members, are subsequently sued then the policy will provide protection to the club and its members. Non-members are treated as a general member of the public. If a member of the club is injured by the non-member there will be no cover under the policy to defend the non-member in the event of a claim. The non-member should become a full member of the club as soon as possible in order for full member to member cover to apply or listed as a Visitor using one of their six visits before becoming a full time member of the club.

Are spectators who are not members covered?

If a spectator is injured (or in fact any member of the general public), and it is as a result of the negligence of the insured, then the insured person responsible for causing the injury will be covered in the event of a claim.

What does the club abuse cover provide?

Abuse cover is imperative for clubs in view of the ever increasing responsibilities imposed by legislation. This section of the policy provides protection for damages awarded against the club for the abuse of children and vulnerable adults. Abuse is defined in the policy and includes acts of injuring mentally or physically or coarse, contemptuous or insulting language or bullying. There is no cover for the individual accused or alleged to be the abuser.

If the number of members in our club increases throughout the season will they be covered by our insurance cover?

All full members of the club will be covered during the policy period provided you have selected the correct band of membership type, all the required details have been supplied and payment has been received by BADMINTON England.

Our club sometimes organises social events, would the Sports Liability policy cover us for these?

The standard cover under the Sports Liability policy provides for social events arranged by the club or where the club is officially being represented is covered under the policy. Any social event where you require using the BADMINTON England provided Sports Liability Insurance must be related to Badminton. If you are not sure then please contact the Membership Team at membership@badmintonengland.co.uk to confirm.

[Click here to access Perkins Slade guidelines on risk management](#). However, certain activities where a level of expertise is required such as firework displays or the use of bouncy castles do require specific risk management procedures. Please contact Perkins Slade Customer Services on 0121 698 8050.

Registered Coach Specific Questions

Why do I need Professional Indemnity?

Professional Indemnity provides cover for negligent advice. If you are coaching, for example, you would need this protection. A standard Public Liability policy will have a specific exclusion in respect of advice given.

I am a Registered Coach, are substitutions automatically covered if I am ill or on holiday?

No, any person who will be taking classes or sessions in your absence should have a policy in their own name to protect them against claims for negligence while providing coaching and tuition.

I am a Registered Coach who arranges accommodation and travel as part of my instruction package for groups of people. Would I be covered under the Civil Liability policy if something goes wrong with these arrangements?

The Civil Liability policy is not designed to provide cover for "Tour Operators". The policy contains a specific exclusion in respect of the Package Travel, Package Holidays and Package Tour Regulations 1992. Further details of the indications of this can be obtained from our Customer Services team on 01212 698 8050.

I am a registered coach who achieves a greater turnover than £20,000. Does the Badminton England policy automatically cover me?

No, you should contact Perkins Slade Ltd on 0121 698 8050 in order to arrange cover in your own name.