



Insurance Club Guidelines

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Insurance

Introduction

This document is intended to give assistance to affiliated clubs and their members in understanding the insurance that the BMC provides as part of the membership package. It is not intended as a legal interpretation of BMC insurance and should not be used as such. It is designed to be read in conjunction with the policy summary that covers the full details about the combined liability policy - available from BMC's Insurance Brokers, Howden Sport Recreation and Equine (<http://bmc-insurance-centre.co.uk/>) or the [BMC](http://www.thebmc.co.uk/club-membership) (www.thebmc.co.uk/club-membership).

BMC membership/affiliation includes the following insurance benefits:

- ✓ Combined Liability insurance for the club, all of its members including directors, trustees, officers, honorary members, life members and social members – up to £10,000,000
- ✓ Combined Liability Insurance for Individual members – up to £10,000,000
- ✓ Additional Public Liability insurance to provide a total protection against bodily injury claims of up to £15,000,000
- ✓ Individual membership includes up to £10,000 in the event of a permanent disability
- ✓ Club members can benefit from the Personal Accident Disability cover if they pay the membership upgrade fee
- ✓ BMC Travel insurance cover is also available to club members, along with financial protection, through Summit Financial Services.

1. What is Combined Liability Insurance?

The BMC Combined Liability Insurance policy has been specially developed by Howden and protects clubs against legal liability under Civil Law. A number of traditional Liability Policies are brought together to create one 'Master' Policy providing superior policy coverage. The policy is designed to provide cover whilst undertaking activities recognised by the BMC. The main features of the Policy are:

- [i] Public Liability – Accidental bodily injury to third parties and/or damage to third party property. This section of the policy provides cover for:
 - (a) member to member liability and
 - (b) liability arising out of the sharing of knowledge.
- [ii] Products Liability – Accidental bodily injury to third parties and/or damage to third party property arising out of any goods lent to another person by an Individual or club member or sold or supplied by the club.
- [iii] Libel and Slander – Includes defamation, which is vital in relation to allegations of child abuse.
- [iv] Directors' and Officers' Liability – Legal Liability protection in respect of negligent mismanagement. The Policy is also extended to protect against liability arising out of the use, ownership or possession of any club premises e.g. mountaineering huts, and includes protection for Trustees.

For information specifically about club huts insurance, please see the Hut Guidelines page on the BMC website - www.thebmc.co.uk/hut-guidelines

No cover is provided for mountaineering/climbing instruction on a commercial basis.

2. What Combined Liability Insurance means for you

- all BMC members

The policy protects you for legal liability following injury or damage to third parties, arising in connection with hill walking, climbing and mountaineering (including ski mountaineering). The limit of indemnity in respect of any claim made during the period of insurance is £10 million and increases to £15 million in respect of claims for bodily injury. The cover operates worldwide with the exception of USA/Canada, and there is no excess applicable. The cover does not apply to people who are being paid as professional instructors, guides or in a similar professional business capacity.

Liability protection covers you for claims against you for injury or damage caused. You and your assets are protected if you are taken to court, for example, for dislodging a rock that caused injury to someone else and that person sues you.

Club cover includes Directors and Officers liability, which protects committee members in the event of a negligent decision, for which in law they will be personally liable. This is something that the BMC has specifically sought out as standard Public Liability insurance does not include this protection. Cover includes protection for Trustees of clubs, including trustees of hut trusts.

Premises liability in respect of Club Huts and property owned by the club is automatically included.

3. How could Liability attach to a Club?

- BMC affiliated clubs

Liability can attach to mountaineering clubs under a variety of circumstances, principally under the four heads of cover detailed above, some examples may be:

- [i] A member or third party could be injured by faulty or poorly maintained club premises.
- [ii] If a novice mountaineer sustained injury on a club led climb.
- [iii] A third party may sustain injury as a result of faulty equipment provided by the club.
- [iv] Food poisoning could be suffered by a third party from materials either made or distributed by the club.
- [v] Third parties may take offence to published materials e.g. guidebooks / newsletters / website / social media / online imagery (photographs, video clips)
- [vi] If a rock or debris was dislodged and caused injury or damage to a third party or property when it fell.
- [vii] Should the club become insolvent as the result of negligent mismanagement of finances.
- [viii] Should a landowner's gate be left open and cattle/sheep escape and cause third party injury or damage.
- [ix] A Club may be sued for failure of its duty of care to children or vulnerable adults.

Under all of the above circumstances, the Combined Liability Insurance Policy would provide indemnity to a limit of £10,000,000, or £15,000,000 where the claim is for

bodily injury. Further information on Combined Liability Insurance is available from [Howden](#).

Why has the Public Liability cover been increased to £15,000,000?

In March 2017 changes were made to the mechanism used to calculate the amount by which compensation payments for long-term catastrophic injuries are discounted to allow for income from investments over the period the award is intended to cover. This change, reflective of the belief that income from investments will be negative in future years, means that the amount payable for a claim where there is long-term injury will increase significantly.

The impact of this is that compensation awards for catastrophic injuries are expected to increase many-fold.

Previous advice has been that a £10,000,000 limit of cover was adequate but in light of the above, as BMC activities carry a high risk of a catastrophic injury caused by a fall from height (spinal injury, traumatic brain injury), it has been decided that the amount of cover for bodily injuries should be increased to ensure that members and clubs are adequately protected.

4. New and Prospective Club Members - BMC affiliated clubs

New members are insured from the day they pay membership to the club, provided that the club clearly records the date of payment (e.g. by using a receipt book). A 'prospective' club member, who may not have paid for club membership, will be insured through the Combined Liability Insurance policy when engaging in a club's activities, for a maximum trial membership period of 3 months, providing that the club has a record of that person's details. To remain insured beyond a trial membership, that person must appear on the club's next quarterly declaration and the appropriate subscription paid to the BMC. At this point the club must collect membership subscriptions, unless that has already been done.

5. Validating Combined Liability Insurance

For BMC Combined Liability Insurance to be valid, an affiliated club must maintain a record of all of its members including directors, trustees, officers, honorary members, life members and social members. Details should be passed to the BMC at the time of renewal, and updated every quarter. (See also 4. New and Prospective Club Members)

Clubs must maintain appropriate membership records and update the BMC on a regular basis with details of new members or changes to details for existing members.

It is not necessary to list club members who live overseas. This is because Combined Liability Insurance cover does not extend to club members who reside outside the UK.

6. Personal Accident Disability Insurance Cover

- individual members

This benefit is available to BMC Individual members and to BMC club members who pay the upgrade fee.

Personal Accident cover provides you with compensation if you are unfortunate enough to suffer a permanently disabling injury while you are engaged in one of the activities covered by the policy.

There is no death benefit under the policy or cover for recoverable injuries such as broken limbs. Cover for death and loss of earnings while injured are available separately from Summit Financial Services – contact details on final page.

The Personal Accident Disability benefit is only available to UK residents and only applies when involved in BMC recognised and insured mountaineering activities, e.g. all forms of mountaineering (including ski mountaineering), climbing, walking and abseiling. The cover includes travel to and from these activities within the UK.

7. Reporting an Incident

- all BMC members

All incidents involving injury or damage to a BMC member or a third party must be reported to Howden as soon as is reasonably practical. This is a requirement under the Civil Justice System in the UK. Please also copy your notification to the BMC office. If you or your club are involved in an incident that could lead to a court case please report the incident immediately. In the case of a possible liability claim, the incident must be notified to Howden by the party likely to be sued (e.g. the club, leader, etc.) rather than the injured party. It is important that the party likely to be sued does not admit liability prior to speaking to Howden. With personal accident claims, the injured party is the claimant and they should report the incident to the Howden. Upon receipt of a letter of claim, Howden should be informed immediately.

Howden Sport Recreation and Equine Tricorn House 51-53 Hagley Road Birmingham, B16 8TP Claims reporting tel: 0121 698 8000 Fax: 0121 625 9000 http://bmc-insurance-centre.co.uk/report-incident	British Mountaineering Council The Old Church 177–179 Burton Road Manchester, M20 2BB Tel: 0161 445 6111 Fax: 0161 445 4500 www.thebmc.co.uk
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8. BMC Travel Insurance

BMC Travel Insurance is available to all club and individual members. The policies are designed to meet the needs of travelers, hill walkers, trekkers, climbers, skiers and mountaineers. What's more all surpluses from BMC Travel Insurance are invested in the important work that the BMC undertakes such as access and conservation. You can get a quote and arrange cover by calling the BMC office, or by logging on to the [BMC website](http://www.thebmc.co.uk/insurance) (www.thebmc.co.uk/insurance) where there are premium discounts of 10%.

9. Insurance cover for Club Huts

From 1st January 2016 the Huts insurance scheme will be administered direct by our Insurance Brokers – Howden Sport Recreation and Equine

Any queries should be directed to:-
Howden Sport Recreation and Equine (BMC Hut Insurance)
Tricorn House
51-53 Hagley Road
Birmingham, B16 8TP
<http://bmc-insurance-centre.co.uk/organisers>

10. Summit Financial Services

Summit Financial Services has developed a range of products that can provide financial cover for climbers, hill walkers and mountaineers. Cover is available, in many instances without loading, for income protection, mortgage protection, life cover and critical illness cover. To obtain more details and a no obligation quote please contact:

Summit Financial Services
135 Northenden Road
Sale Moor
Manchester, M33 3HF

Tel: 0844 579 1008
Fax: 0161 976 3247
Email: summit@sportsfinancial.co.uk
Web: www.summit-fs.co.uk

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