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Liability Insurance

The following insurance information is for guidance only, you should always seek expert help from either a regulated insurance company or insurance broker, contact information is available at the end of this section and in *section 11 – Contacts List*. Neither the Forestry Commission nor Small Woods Association bear any responsibility for any actions taken or not taken as a result of reading this information.

You may need to consult more than one insurer, either to find the right deal for your organisation or because they specialise in different areas.

As in anything you own or do there is a need for insurance cover. In our personal life we insure our home, our contents, our cars and ourselves. The same principles apply when setting up an initiative or a business. Your office premises, office equipment, company vehicles, employees and volunteers all need to be covered. The difference is that the responsibility is not just for yourself but for a far wider group of people, including your visitors or customers. You should also see *section 7* on Health and Safety because reducing risks and providing a good health and safety policy can help reduce insurance premiums.

6.1 Office/business premises

If you own them you need to insure them for the full rebuilding cost. If you rent them the landlord is usually responsible for insurance of the buildings, so you should check with your landlord or the tenancy agreement. Also check what is covered – shop fronts, for instance are often the responsibility of the tenant. Public liability is also required, in case someone is injured on your premises or by

something falling from your property. You must also have Employer's Liability Insurance if you employ staff (see below).

6.2 Contents/office equipment

It is possible to insure either for 'indemnity' (wear and tear is deducted from any claim) or replacement 'as new'.

6.3 Vehicles

All company vehicles should be covered by insurance. If you have a number of vehicles it may be useful to get 'fleet' cover but check with your broker. Employees' vehicles, which are used in connection with the business i.e. carrying leaflets from the printers or travelling to meetings with other organisations to do with the business, should have their insurance cover extended to include business use. Specialist machinery or tractors will require specialist insurance.

6.4 The Business

Insurance is available for the interruption of your business due to say, damaged equipment, but expert advice should be sought as to the level of cover that is available or appropriate. Specialist commercial insurance covers a wide area depending on the type of business, for example it can cover: goods damaged in transit, loss of money on the way to the bank or through theft within the organisation, specialist equipment and trade tools. If your role or that of your Board of Directors/Trustees (see below) is to give "advice" to forestry businesses, woodland owners/managers or the public then you will need to take out a profes-

sional indemnity policy, in case your advice is proven to be incorrect and damages property or livelihood (described as through negligence, error or omission).

6.5 Employers Liability

A legal requirement, enforceable by the HSE who can fine employers, at a daily rate, if they don't have adequate cover. Proof of Employers Liability insurance also needs to be made available to health and safety inspectors on request or you can be fined. A certificate of employers' liability insurance must be displayed in a prominent place where employees can read it. Copies have to be kept for at least 40 years.

6.6 Directors and Officers Liability (including Trustees)

Officers can be held personally liable for their actions if they are deemed to have acted outside of their terms of references in certain circumstances, this can include liabilities to staff, clients and the public. In the case of Trustees insurance should also include accident cover and theft of company property and/or funds.

6.7 Home Working

Household insurance doesn't cover office equipment, public or Employer's Liability. Some household policies can now be extended to cover working from home, check with your insurers. Confirm with your insurers who is allowed to visit your home office, generally only direct colleagues are insured to have meetings with you at home, other business meetings with outside organisations are not generally covered.

6.8 Organising Events

Public liability and community risks, if you are inviting people to do more than just watch, is essential. Contractors or demonstrators must have their own insurance that also covers them against injuring a third party or property. Insurers will also insist on a minimum level of first aid and marshalling support

depending on the size of the event and the anticipated number of people attending. (See also *section 7* on Health and Safety under Risk Assessment).

If you are using a privately owned wood for your event and you pay a charge for the usage, either in cash or in kind, normal property owners' liability is not sufficient. The owner will need commercial liability insurance. If there is no charge the owner will need a written legal indemnity from the organisers.

6.9 Woodland

Owners of woodland are responsible for insuring their own land, whether or not there is public access the woodland owner should be covered for public liability, and the crop can be covered for wind throw and fire. Even uninvited visitors to a woodland can submit a claim if they are injured by tripping or something falling on them.

6.10 Contractors/Producers

The cost and availability of insurance for arboricultural and forest workers has been debated recently. Premiums have escalated because of the number and size of claims versus the small number working in the industry and paying for insurance. The situation is being resolved but it will be based on strict health and safety standards being maintained.

The Forestry Contracting Association have access to schemes, for its members, covering Employers Liability, Public/Products liability*, Professional Indemnity, All Risks on Equipment, Hired in Plant, Personal Accident. BTCV also offer an insurance scheme which covers public liability and personal accident which is available to Associated Groups who are engaged in conservation work, environmental improvement, habitat management, recycling schemes and community based improvement schemes. It can also cover volunteers using equipment (as long as they are trained and hold the relevant card) at an additional cost. It excludes groups that employ staff, but BTCV are able to help obtain quotes if required.

The Pole Lathe Turners have insurance for members, including those who demonstrate woodturning at public events.

**Public/Products Liability – is based on third party liability (non employees) for injury or damage to property as a result of negligence from work done or goods supplied. Ref: Caring for Small Woods by Ken Broad, Earthscan Publications Ltd. London. ISBN 1 85383 4548.*

Useful organisations for general insurance information and reference:

Association of British Insurers (ABI)

Currently working to improve access to employers liability, particularly in high-risk trades. A company's health and safety policy will be essential to keep premiums down. The ABI are also looking at the future of Employers Liability and Industrial Injury Benefit, perhaps replacing it with a single system of workplace compensation.

Tel: 020 7600 3333
Fax: 020 7696 8999
Email: info@abi.org.uk
www.abi.org.uk

British Insurance and Investment Brokers Association

The UK's leading general insurance organisation. BIBA brokers handle over two thirds of the UK's industrial, commercial and consumer insurance business. They also have a Find a Broker service.

Tel: 020 7623 9043
Fax: 020 7626 9676
Email: enquiries@biba.org.uk
www.biba.org.uk

Business Link

An organisation providing business support, advice and information. Managed by the DTI. Local Business Link offices are searchable on the website. They have publications details insurance requirements for businesses. The telephone number below will connect with a local Business Link office.

Tel: 0845 600 9006
www.businesslink.gov.uk

Financial Ombudsman Service

A free independent service for advice on complaints against an insurance company or financial services company.

Tel: 0845 080 1800
Email: complaint.info@financialombudsman.org.uk
www.financialombudsman.org.uk

General Insurance Standards Council

The UK watchdog established to set, monitor and enforce standards in all areas of general insurance, including the fair treatment of customers.

General Enquiries: 0845 601 2857
 (Calls charged at local rates)
Email: enquiries@gisc.co.uk
www.gisc.co.uk

Institute of Insurance Brokers

A professional association for broking firms throughout the UK working with businesses and private individuals. Check the website to find a registered insurance broker in your area. They also have a dictionary of insurance related words and phrases, which might be useful.

Tel: 01933 410 003
www.iib-uk.com

A selection of organisations and insurers with more sector related information and schemes.

Algarve Insurance Brokers Ltd

Offering insurance for arboriculturists and landscapers. Very involved in the discussions with the Arboricultural Association, Forestry Contracting Association, Forestry and Timber Association and others over the problems of liability insurance for the sector.

Tel: 01483 489291

Fax: 01483 797301

www.algarve-ins.co.uk (site is under construction)

A selection of organisations and insurers with more sector related information and schemes.

Arboricultural Association

An organisation set up to advance the study of arboriculture, raise standards of practice, foster interest in trees through publications, exhibitions and research, and to assist in the training of students. They have been involved in the recent debates on insurance and produce publications for the public on what type of insurance contractors should have.

Tel: 01794 368717

Email: admin@trees.org.uk

www.trees.org.uk

BTCV Insurance Scheme

Working with voluntary groups, they operate an insurance scheme underwritten by Zurich Municipal.

Contact: Michelle Morgan

Tel: 01302 572236

Email: m.morgan@btcv.org.uk

www.btcv.org

Camberford Law Plc

Among their schemes they have insurance for Tree Surgeons, Landscape and Garden Services, Forestry Work and Associated Activities.

Tel: 020 8315 5000

Fax No: 020 8460 2118

Email: mail@camberford-law.com

www.camberford-law.com

Country Land and Business Association

Protects the interests of owners of rural land in England and Wales. Operate an insurance scheme for members.

Tel: 020 7235 0511

Fax: 020 7235 4696

Email: mail@cla.org.uk

www.cla.org.uk

Folgate Risk Solutions Ltd.

One of their divisions specialises in woodland insurance and allied risks. (see Rural Arbor Products)

Commercial Enquiries: 0870 850 54 54

Commercial Fax: 0870 850 55 65

Email: folgatekent@folgate.co.uk

www.folgaterisksolutions.co.uk

Forestry and Timber Association

A representative body for all those with an interest, or professional involvement in the growing and management of trees. Among its many functions it promotes economic and business development, including training support. Involved in the recent debates on insurance.

Tel: 0131 538 7111

Fax: 0131 538 7222

Email: info@forestryandtimber.org

www.forestryandtimber.org

Forestry Contracting Association

Promoting and protecting the interests of its members. Involved in the recent debates on insurance.

Tel: 01467 651368

Fax: 01467 651595

Email: members@fcauk.com

www.fcauk.com

National Council for Voluntary Organisations (NCVO)

The NCVO Encompass Insurance Policy is aimed at voluntary organisations. The scheme is handled on NCVO's behalf by: Keegan and Pennykid (Insurance Brokers) Ltd. and Royal & SunAlliance.

Tel: 0800 731 8030

Fax: 0800 731 8448

Email: mail@keegan-pennykid.com

www.keegan-pennykid.com/charities/index.html

For Membership of NCVO

Tel: 020 7520 2414

www.ncvo-vol.org.uk

The National Farmers Union Mutual Insurance Society Limited (NFU Mutual)

Providing a wide range of low cost insurance for the agricultural industry and people who work or live in the country. They have a large number of 'local' offices, searchable on the website using a postcode.

Registered Office: Tiddington Road, Stratford-upon-Avon, Warwickshire, CV37 7BJ

Tel: 01789 204211

Fax: 01789 298992

www.nfumutual.co.uk

Rural Arbor Products Ltd.

Previously run by The National Small Woods Association, the scheme provides public liability insurance for woodland owners. A block scheme running from 1st July until 30th June each year operated through Folgate Risk Solutions Ltd.

Tel: 01952 510265

Email: enquiries@r-a-p.co.uk

www.r-a-p.co.uk

Talbot Insurance Brokers

Covering commercial, farm and personal insurance to businesses and individuals.

Tel: 01539 732000

Fax: 01539 730086

Email: enquiries@talbotinsurance.co.uk

www.talbot-insurance.co.uk

Zurich Municipal

Covering public sector risk management and insurance. They provide a Community Risk Scheme for a diverse range of community organisations, which can be tailored to the groups needs. (they underwrite the scheme operated by BTCV)

www.zurichmunicipal.com

Zurich's Community Insurance Centre:

Tel: 0845 6023896

Fax: 0845 7626822

Email: community@zurichmunicipal.com