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To: All Local League and County Association General Secretaries
All Premier Clubs

Dear General Secretary,

Sports Liability Insurance for Members, Leagues & Clubs

ETTA have recently met Nick Matthews, the ETTA Account Executive of Towergate Insurance Company who currently provides insurance under our 'Umbrella Policy' to all ETTA Individual Members, Local Leagues and their clubs, Directly Affiliated Clubs and County Associations. It was agreed that the results of the discussion should be relayed to our membership and listed below are the main points discussed, which I hope you will find helpful and informative.

Common Sense Principles

The main principle is that if the ETTA considers a person is a member they are covered by the insurance policy. It is the ETTA who defines a member and not the insurance company. Towergate Insurance use a common sense response to any claims. Assuming the proposed Rule Change Proposition is approved at the forthcoming AGM, a member from the 2012/13 year who has not renewed would still be considered to be a member during period 1st August 2013 to 30th September 2013 and therefore covered. After 30th September their membership would be considered to have lapsed and not be covered. This principle applies to renewal of membership only and not for new members.

What has Changed?

It is the method of collecting the insurance premiums that has changed as it is included in the ETTA Individual Membership fee.

The contract is still between the ETTA and its members and the insurance company. It still remains a blanket cover

"Joint & Several Liability"

Our Insurance responds to potential "joint and several" liability claims which means that: -

(a). Organisations like a County, Club or League, which can be regarded as a separate legal entity because they are an incorporated body, for example a Company which is Limited by Guarantee, a Charity, or a branch of an incorporated body, etc then such Organisations as well as its named Officers may be held liable for damages and taken to Court

(b). A substantial number of our Organisations, which are affiliated/registered with the ETTA, are unincorporated bodies and therefore legally they do not exist. In such cases legal action cannot directly be taken against such

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Organisations in their own name, but may still be taken against named people, e.g. members of a committee or specified individuals like the Chairman, Secretary or any other member of the committee, either individually or the committee collectively.

Individually paid up members are covered in their own right, other members by Association to a club, etc.

Any individual member can make a claim directly to the insurance company; they do not have to go through their league/club or the ETTA, etc.

Non-Members and Guests

If a club/league holds a session for non-members a claim could be made against the committee, or the club, coach, Local League the ETTA itself or indeed collectively all together.

If a non-member causes an action that results in a claim a member would have to make a claim against that person. If they have no cover, e.g. by way of household cover, then there may be little point in following through a claim as they are an uninsured person. However, a claim could still potentially be made against the club/league, etc but for the claim to be successful, the club would have to be shown to have been negligent in allowing that person to play.

Volunteering

Paid and unpaid volunteers are covered at club, league and ETTA level, including working at events, tournaments, etc.

If volunteers, paid or unpaid, are working for the ETTA they are covered by both Public Liability (PL) and Employers Liability (EL) insurance, e.g. unloading tables at an event. Health and Safety legislation also applies. Individual club volunteers and coaches are not covered for EL insurance. Coaches must be covered by their own Public Liability and Professional Indemnity insurance, usually as part of their annual ETTA coaching licence.

Liability Insurance vs. Personal Accident Insurance

It needs to be noted that Public Liability insurance is different to Personal Accident insurance, in the former someone has to be liable but in the latter no one needs to be liable. The ETTA does not currently provide Personal Accident Insurance for its members.

Should you have any questions regarding the above, please contact myself at the above address.

Best wishes

Rob Sinclair
General Secretary