



Question: What cover do we have for volunteers?

Who is a volunteer?

A volunteer could be

- Someone involved in carrying out the usual activities of the institution on an unpaid basis;
- Someone employed by the institution, or a registered student of the institution, who devotes time to undertaking voluntary work formally on behalf of or with the authorisation of the institution.

Anyone receiving remuneration for such activities is likely to be categorised for the purpose of cover as an employee – reimbursement of costs and expenses incurred (such as travelling expenses) are not deemed to be remuneration.

Covers

In the situation where volunteers are placed with an external organisation, it is expected that there would be legal liability covers in place by that organisation. As a contingency, the UMAL covers would respond.

Employers Liability: Although the courts are the ultimate arbiter as to where a claim lies, it is expected that claims arising from injury to volunteers would be dealt with under the Employers Liability heading (for the avoidance of doubt the UMAL Public Liability Section is so worded that the cover could respond to a claim).

Public Liability: Claims for property damage or loss suffered by volunteers made against the institution would be considered under this class of cover, as too would claims for injury or loss caused by volunteers in the course of their voluntary work.

Professional Indemnity: The UMAL Professional Indemnity section provides a broad range of cover (extending to include, for example, libel & slander, breach of trust, breach of confidence, and breach of warranty of authority). Voluntary or unpaid persons whilst acting for or on behalf of the institution would be covered, subject to the terms of the cover. If the individual is entitled to indemnity from any other source, then that will take precedent in the event of a claim.

Governors' Directors' and Officers' Liability: in their role as an unpaid governor director or officer, cover would be operative whilst acting for or on behalf of the Institution.

Personal Accident and Travel (including the personal liability section): the UMAL definition of employee includes volunteers – but cover varies per institution, and reference should be made to the specific terms.