

How covered are you?

The plain man's guide to Insurance

As a British Gymnastics member you have the benefit of a wide ranging insurance policy arranged by BG to protect you against legal liabilities. What this covers is not always entirely understood.

Who are the insurers?

Until this year the insurer has been Zurich Insurance Company. From this year onwards half the cover is provided by Zurich and the other half by a consortium of sports Governing Bodies through a mutual insurance fund. The cover is not affected by this change

Who exactly is covered against claims made against them?

The people and organisations who can claim under the Policy are:

- British Gymnastics
- Each of the 4 Home Country organisations
- British Schools Gymnastics Association
- All Regions, County Associations & Clubs
- All categories of BG Members, Full and Associate.
- Employees and volunteers working for a club or affiliated association

Am I covered only if the person injured is themselves a BG member?

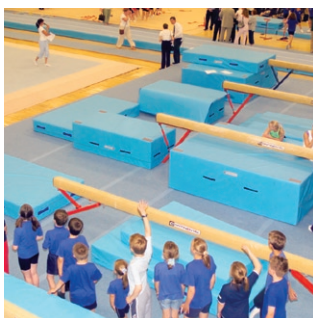
It does not matter whether the person injured is a BG member. What matters is if the person liable is insured and whether the liability arose from recognised gymnastic activity.

So what liabilities are covered?

The formal answer is "what the insurance policy document says is covered." No summary, leaflet or article like this can override the policy wording.

Yeah, yeah, whatever. Give me something (non-binding) I can understand.

Cover of up to £10 million, plus legal costs, is provided if you (or your BG club) are alleged to be legally liable to someone else for losses arising from "recognised gymnastic activity". If an injured gymnast claims you are liable for the injury, the Insurer will defend the claim, pay damages due to the gymnast (up to the £10m limit) and pay any legal costs of the claimant you might be ordered to pay. The policy provides protection for the coach or club alleged to be responsible – it is not a direct benefit claimable by the injured gymnast.



£10 million pounds for any gymnast injured?

Not quite. Damages payable are decided individually in each case. £10million is bigger than any award we know of to a gymnast – even one suffering catastrophic injuries. But the limit covers all liabilities arising from a single incident. If an incident involved more than one gymnast, the £10 million would be the total available to satisfy the claims of all those injured against all those alleged to be negligent.

How good is the BG liability policy?

We believe it is very good indeed. It is written especially for sports Governing Bodies as part of a scheme endorsed by the CCPR. It covers liability under civil law, which is wider than just public liability insurance which many regular commercial policies tend to cover.

If gymnasts wear jewellery does this invalidate my insurance?

This question, and others such as "if I don't provide proper matting" or "if I coach outside my qualification" do create confusion. Any breaches of BG rules or guidance may lead to liability if someone is injured. They may amount to negligence, expose gymnasts to unnecessary risk and expose you to a claim. Your duty of care, and financial interest, is to avoid these risks.

Alright, I know I shouldn't do these things but, if I do get it wrong, am I covered?

The policy exists to protect you where your negligence results in a liability. However, and it is quite a big however, cover is not available for injuries resulting from premeditated actions or where you could reasonably have foreseen loss to be inevitable or if your activities stray outside the area of recognised gymnastic activities.

What are "recognised gymnastic activities"?

This is a surprisingly difficult question. The variety of activities BG members are involved in go way beyond the ground an article like this can cover.

• Some activities, outside a BG club environment, are clearly **not** recognised gymnastics activities

such as supervising a group of children at home playing on a trampoline. Your legal liabilities would not be covered by the BG policy – you would have to look to your own household or other private insurance.

- Equally, if you teach gymnastic skills within an athletics, swimming or rugby club that would not be covered under the BG policy. You or the sports club should make sure that suitable cover has been arranged.
- Activities in the normal course of training or competition as part of

your work (paid or voluntary) for a BG registered club will normally fall within the definition of recognised gymnastic activity.

- Other activities of BG clubs, such as social, fund raising and administrative activities can also qualify as recognised gymnastic activity - if they are of a kind normally and reasonably performed by a club. But some non-gymnastic activity will fall outside the policy. A social trip, with no gymnastic content, would not be covered though stopping for a meal on the way back from a competition or a club awards night would still be a recognised activity.
- One question has been clarified is about birthday parties with gymnastic content. Run by registered clubs with proper coaching supervision in a controlled environment they are regarded as recognised gymnastic activity. However, simply hiring out your gym for children to play on a bouncy castle would not be recognised gymnastic activity.
- Cover is provided for gymnastic coaching by individual members when done in a BG recognised environment. The most obvious recognised environment is one under the control of a BG registered club. This may be anything from a purpose built gym to a hall rented by the club by the hour or even a display space in the open air. The premises do not have to be owned and fully operated by a club. The crucial test is whether the space being used is under the club's control. It is enough that the club is using it at the time and is responsible for how the space and the equipment in it is being used.
- Guidance on other "recognised environments" where coaching by BG members is covered is included in the insurance leaflet provided with your membership pack.
- Another approach is to consider whether the activity is within the scope of BG's regulation as a Governing Body. Coaching outside a BG regulated environment, within an unregistered club or within a club deliberately breaching the regulations requiring all their gymnasts to be members of BG is not likely to be recognised by BG. If an injury occurs during unrecognised gymnastic activity a negligent coach or club will be unable to get protection under the liability policy – which could result in an injured gymnast being unable to recover the compensation they are entitled to and the coach facing huge personal financial liabilities.

I've heard it said that the premium I pay to BG is expensive?

The payment you make to BG is your total membership subscription. It is not only an insurance premium. Insurance for members is just one part of the benefit of belonging to BG. In any case, the insurance element is extremely good value. If a coach tried to obtain cover independently even a basic public liability cover could cost several hundred pounds. £10m cover might not even be possible.

So what is my actual insurance premium?

You do not pay a separate individual premium. BG pays one premium that provides cover under a single policy for BG, its members, clubs and affiliated associations.

If I'm not liable to anyone do I get a no-claims bonus?

No; that is not how the scheme works. The group premium is not calculated as the sum of individual liabilities but on the aggregate claims experience of the sport as a whole.

For further guidance please look at the British Gymnastics website –

www.british-gymnastics.org following menu links 'Membership' and 'Insurance'. If you still have doubts whether a particular activity is covered, guidance can be obtained by emailing insurance@british-gymnastics.org.



Cover of this kind, quality and scope is only possible because risks are shared across all BG members. If some coaches choose not to become members, or a club fails to arrange membership for all its participating gymnasts, the viability of the collective scheme is weakened. If only those who think they are high risk choose to participate, the premium and membership costs will have to rise to reflect higher than average risks.