



# MOUNTAINEERING COUNCIL OF SCOTLAND SCHEME

## Confirmation of Club Cover

**MEMBERSHIP NO:**

|                 |          |                     |  |
|-----------------|----------|---------------------|--|
| <b>INSURED:</b> | SPECIMEN | <b>PERIOD FROM:</b> | 01 January 2012                            |
|                 |          | <b>PERIOD TO:</b>   | 31 December 2012<br>(both dates inclusive) |

**ACTIVITIES:** The activities of the Insured Club and its officers, committees and members as such, consistent with the Club's constitution, including the arranging of and participation in all recognised forms of mountaineering, hill walking and climbing activities, instruction courses in skills relevant to such activities, social activities of interest to mountaineers, the publication of newsletters and journals about the Club's activities and other mountaineering, hill walking and climbing activities, and the maintenance of a library

It is hereby confirmed that the above named Insured is covered in accordance with the following details, subject to the Terms and Conditions Memoranda and Exclusions of the Master Cover Wordings on behalf of the Mountaineering Council of Scotland. Copies of the cover wordings are available on request from the Mountaineering Council of Scotland.

### CIVIL LIABILITY

Cover is provided by Royal & Sun Alliance Insurance plc (R&SA).

RSA is authorised and regulated by the Financial Services Authority (the "FSA") and may effect and carry out contracts of insurance.

**Policy Number**                      RTT254795 / RSACL004462

### Cover

This covers legal liability for damages and legal costs arising out of Third Party loss, injury or damage, in connection with the activities described above and notified to the RSA. Cover includes public liability, professional indemnity, liability for damage to leased and rented premises, indemnity to principals and liability arising out of goods sold or supplied including refreshments. The cover is written on a **claims made** wording, which means that the cover will respond when the claim is made, not when the incident occurred. All incidents that may give rise to a claim in the future should be notified to R&SA, at the time of incident.

|                           |             |   |
|---------------------------|-------------|---|
| <b>Limit of Indemnity</b> | £ 5,000,000 | any one event for Civil Liability             |
|                           | £10,000,000 | any one period of cover for Public / Products |
|                           | £ 2,500,000 | any one period of cover for Abuse             |
|                           | £ 250,000   | Legal Defence Costs                           |

Policy cover for claims below £5m (£2.5m in respect of abuse) are covered by RSA, and above £5m are covered by Zurich Insurance under policy No. 150/2CO2/FR647263/5 in respect of Public / Products Liability.

### Principal Exclusions

Liability arising out of:

- Criminal Acts
- The ownership, possession or use of any mechanically propelled vehicle, aircraft, hovercraft or water-borne craft
- Product Guarantee or recall, repair or replacement
- In connection with damage to any data
- Medical malpractice
- Damage to own property
- Injury to employees
- Abuse in respect of the individual accused or alleged to have committed abuse or have permitted abuse
- Tour Operators Liability (as defined under The Package Travel, Package Holidays & Package Tour Regulations 1992)
- USA/Canada
  - In respect of Civil Liability, any legal action brought against the Insured in a court of Law within the USA or Canada, other than actions brought against Individual Instructors, Teams, and Individual Members of the Association.
  - In respect of Directors & Officers Liability, any activity in or action brought against the Insured within the USA or Canada.

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This document should be read in conjunction with the Cover Wording. It is neither intended to be a full cover wording, nor a full summary of cover. For the purposes of policy definitions, this document is also the schedule. Copies of the Cover Wording applicable to this cover are available upon request from the Mountaineering Council of Scotland.

### IMPORTANT NOTES:

- **The Civil Liability cover is written on a claims made wording. Therefore, in the event of an incident or any circumstance likely to give rise to a claim, you must request a claim form from Perkins Slade Ltd immediately to avoid prejudicing the claim.**
- **Incident Notification Guidelines are attached to this document to assist you.**
- **No admission, offer, promise, payment or indemnity shall be made or given by or on behalf of the Insured without the written consent of insurers.**

The complaints procedure is available from Perkins Slade Limited who are the Mountaineering Council of Scotland's insurance brokers.

Further to this if you are unhappy with the service of Royal & Sun Alliance Insurance plc for any reason, you should write initially to the Manager of Royal & Sun Alliance Insurance plc, at Colmore Court, 9 Colmore Row, Birmingham B3 2SG.

If matters are not resolved to your satisfaction, you are invited to write to:

Customer Relations Administrator, Royal & Sun Alliance Insurance plc, PO Box 144, New Hall Place, Liverpool L69 3EN.

Perkins Slade Limited and Royal & Sun Alliance Insurance plc are authorised and recognised by the Financial Services Authority.

Royal & Sun Alliance Insurance plc (No 93792) is registered in England and Wales at St Mark's Court, Chart Way, Horsham, West Sussex, RH12 1XL.

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### INCIDENT NOTIFICATION GUIDELINES

It is important that all incidents that may give rise to a claim are reported to us as soon as possible after the event. This will enable Insurers to carry out investigations at an early stage whilst information relating to the claim remains fresh in the mind. This will also ensure that you are complying fully with your policy terms and conditions.

In order to achieve this, we ask that you notify us immediately of any incident that involves:-

- a fatal accident.
- an injury involving either referral to or actual hospital treatment.
- any allegations of libel/slander.
- any allegations of Professional Negligence i.e. arising out of tuition, coaching or advice given.
- any investigation under any child protection legislation.
- any circumstance involving damage to third party property.

An injury is defined as:-

any head injury that requires medical treatment [Doctor or Hospital.]

any fracture other than to fingers, thumbs or toes.

any amputation, dislocation of the shoulder, hip, knee or spine.

loss of sight [whether temporary or permanent.]

any injury resulting from electrical shock or burn, leading to unconsciousness or requiring resuscitation or admittance to hospital for more than 24 hours.

any other injury leading to hypothermia, heat induced illness or to unconsciousness which requires resuscitation or admittance to hospital for more than 24 hours.

loss of consciousness caused by asphyxia or by exposure to a harmful substance or biological agent.

Please note the above list is not exhaustive and if you are unsure as to whether an incident should be reported, then please do not hesitate to contact Perkins Slade Claims Department for further advice.

**We would remind you that in NO circumstances should you admit liability or agree to pay for any damage caused as this may prejudice the position of Insurers and COULD result in the withdrawal of any indemnity.**

Finally, please note that this is a Liability Policy where Insurers decide if negligence attaches to you. Therefore any payments you make to any third parties will not necessarily be reimbursed.

### INCIDENT RECORDING GUIDELINES

We would recommend that a designated person within your organisation is made responsible to record any reportable accident. Records must be kept for at least 3 years. Names and addresses of any possible witnesses should also be recorded. Current legislation does not specify the format of an accident register but the Accident Book BI 510 obtainable from HMSO is frequently used and is approved by the Information Commissioner for D&A Compliance.

The register must contain the following information relating to all reportable accidents or dangerous occurrences:

date and time of accident

as regards a person at work - full name; occupation; nature of injury; age

as regards a person not at work - full name; status [e.g. customer]; nature of injury; age

place where accident occurred

a brief description of the circumstances

method by which the event was reported.

### REPORTING INCIDENT TO HEALTH & SAFETY EXECUTIVE

You may also have obligations under the RIDDOR 95 regulations to report incidents to the HSE. For further information and to obtain a copy of the "RIDDOR explained" leaflet log onto the HSE website [www.hse.gov.uk](http://www.hse.gov.uk).