



Scottish Gardeners' Forum
 Secretary: Alex Rutherford
 21 Highburgh Road Glasgow, G12 9YG
 Tel: 0141 334 6523

CERTIFICATE OF PUBLIC LIABILITY INSURANCE: Policy No 24545835 CCI

Association/Club/Society.....

Public & Products Liability, Money & Assault, Supp All Risks

This certificate confirms that the above named Group having paid the due premium of £55.00 has thereby obtained indemnity to the limit of £1,000,000 for the period from 1st February 2009 to 31st Jan 2010, subject to the following standard endorsements:

Section 645 of Policy: Clubs (Liability of Members)

This section shall indemnify *in like manner to the Insured (i.e. The SGFC)* each member and official of the Insured club, whilst such person is taking part in the activities of the club provided that:

1. such person is not entitled to indemnity under any other policy
2. such person shall observe, fulfil and be subject to the Terms, Exceptions and Condition of this section in so far as they can apply
3. in the event of a claim being made by such person against a Direct Employee of the Insured the Corporation will indemnify that employee in like manner to the insured subject to the terms of this endorsement
4. the Corporation shall have the full conduct and control of all claims made under this endorsement
5. the cover granted by this endorsement shall not operate to increase the Corporation's liability beyond the amount shown on the schedule as the Limit of Indemnity.

Section 898a: Social Clubs, Community Centres and Village Hall Committees

This section does not apply to liability in respect of:

1. marathons or sponsored walks or rides
2. fireworks displays or bonfires
3. inflated forts, bouncy castles and the like injury to participants in "It's a Knockout" type competitions or "Donkey Derby" races
4. loss or damage to articles hired in or personal effects of members events where attendance is expected to exceed 1,000

Note: For such events additional cover can be arranged

Signed Date.....
 Alexandra Rutherford, Secretary



Scottish Gardeners' Forum

Public Liability Insurance

OUR SCHEME EXPLAINED

Issued Feb/Mar09

PUBLIC LIABILITY INSURANCE

In this day and age, societies who engage directly with the public, through Flower Shows, demonstrations, fund-raising events or even, perhaps, by placing hanging baskets throughout the village etc, without adequate Public Liability Insurance cover, are running horrendous risks. If a member of the public is involved in an accident and the society is found to be legally responsible, it may be sued for a very large sum. It is a common misconception that your local authorities may bear this responsibility.

The Forum arranges Public Liability Insurance cover for member societies with Norwich Union through an Agent, viz. Edinburgh Risk Management. In this arrangement, participating member societies are listed in a **special endorsement section**, within a general Policy, No 24545835 CCI, which is in the name of The Scottish Gardeners' Forum (SGF). The bulk annual payment to the Insurers, resulting from the combined premiums, and the reduction in the administration costs of both the Insurance Company and the Agents by handling many societies within a single policy, attracts a considerable discount - which is very much to the advantage of the participating societies. It is known that individual societies applying directly to an insurance company for similar levels of cover have been faced with annual premiums in excess of £325. In comparison, the Scottish Gardeners' Forum annual premium for member societies for 2009 is £55.00.

For participating societies, the year runs from 1st February until 31st January. In early January, the Agent invoices the SGF, requesting a single payment to cover the premiums for all member societies who arranged Public Liability cover in the preceding year: prior to 1st February of each year, the SGF makes this payment from its own funds. Thereafter, the **SGF** Secretary contacts the individual societies to seek reimbursement of the Public Liability payments made on their behalf. On receipt of the reimbursement cheque, the **SGF** Secretary issues) *a receipt* and ii) *a Certificate of Payment* which can be used as proof to Local Authorities etc that the society has current Public Liability cover. (see specimen on back page of leaflet)

Under this arrangement, unless the **SGF** Secretary has been informed that a society wishes to withdraw from the insurance arrangements, **participating societies remain in cover whether or not their cheques have been sent off to the Secretary**. Reimbursement cheques – or written confirmation that payment will be late - should be in the hands of the Secretary by the last day of February. Societies wishing to withdraw, must notify the Secretary timeously, and certainly before the last day of February, or they will incur charges for a part-year.

Societies can apply to SGF at any time throughout the year to arrange Public Liability cover **but only for continuing cover**. Arranging short-period cover for an individual society – e.g. for the day of the annual show or some other event - is too much of a hassle for **SGF** to contemplate. Generally, a full annual premium will be requested in the first instance from societies who wish to join the scheme later in the year. Later, frequently several months later, **SGF** will be informed by the Agent of the exact amount of premium required for the relevant, part-year cover and the surplus will be returned to the society by the **SGF** Treasurer. Public Liability cover for a new enrolment is effective from the date the premium cheque is received by the SGF Treasurer.

The Agent has assured **SGF** that £1 million cover is adequate for most of the situations that an amateur society is likely to face. However, in certain circumstances a higher level of cover may be necessary – e.g. in past years Gardening Scotland has required societies taking stands at the Show, to confirm that, over the three day period, they have Public Liability cover of £5 million. Last year **SGF** met this requirement by taking out an additional premium of £120, the cost being shared equally by the societies concerned. So, if a need for higher cover arises, this can be arranged by contacting the **SGF** Secretary.

A frequently asked question is “What particular items are covered by Public Liability insurance?” Unfortunately, there is no detailed list. The Agent has explained that, if a claim against a society is made by a member of the public and this claim is accepted ‘legally’ as meeting the terms of ‘Public Liability’, then the insurance company is obliged to pay damages, ‘awarded to’ or ‘negotiated by’ the claimant, up to a maximum of £1 million. On the other hand, if the claim fails to be regarded ‘legally’ as coming under the terms of ‘Public Liability’, **then there is no case against the society and no call for the payment of damages**. Providing a list could be a hostage to fortune. However, over the years, individual examples put to **SGF** by societies wishing reassurance, have been received and answered helpfully by the Agent. In general, societies should not approach the Agent or Insurer, but should direct enquiries through the **SGF** Secretary or Treasurer. Items **not** covered by the insurance arrangements are set out in the ‘insurance certificate’.

Application forms for Public Liability Insurance cover are available from the Secretary.

Alexandra Rutherford,
Flat 1/L,
21 Highburgh Road,
Dowanhill, Glasgow, G12 9YG

Cheques should be made payable to:
‘Scottish Gardeners’ Forum’ (or more simply **SGF**)