

CLUB INSURANCE

A Basic Guide by the GCN Treasurer, Steve Nolan

The Gaming Club Network [GCN] cannot offer professional advice on insurance matters but we can share our experience with our members. The following is given as general guidance to member clubs only. The GCN accepts no responsibility for use of the below guidance. GCN member clubs are urged to seek proper professional advice if they think they might need it.

General legal status of clubs and their liability in law:

Most member clubs of the Gaming Club Network [GCN] are unincorporated associations. The members of such clubs share personal and mutual liability in law for claims against the club and as co-owners of the club cannot sue their own club. However, they can sue individual members of the club if they can claim negligence or mismanagement by those individuals.

The members of unincorporated clubs share joint and mutual liability in the event of a claim against the club. In practice, this means individual members of the club can be sued with those charged with running the club and those with the most assets being prime targets. Because most clubs rely on just a handful of people to run the club their loss can result in the demise of the club. It is in all club members' interest, therefore, to have insurance in place to protect them.

It is every club member's responsibility to ensure their club is well run in a safe manner. So, for example, when the club committee "moan" at you to ensure gaming boards are safely stored away, bags are moved out of gangways and fire exits are kept clear etc. please don't give them a hard time; they are looking after your interests!

Public Liability Insurance:

Provided clubs are well and safely run the major risk they run is from claims from members of the public for damages or losses to them or their property arising from club activities. Members of the public clubs are most likely to come into contact with are those passing through or using the same premises as the club, gamers visiting and participating in club activities on club premises and members of the public attending shows and events in which the club is participating.

Not being members of the club, the public may not be aware, for example, that 28mm infantry pikes are "spiky", don't know not to lean on gaming boards, and may trip or fall over items the club and its members and visitors are using or have around its show stand and/or premises.

This is where public liability insurance [PLI] comes in. The GCN has sourced cheap PLI cover. For the year 2014-15 the premium charged by our brokers is £70 per annum with a sliding scale for those joining the scheme part way through the year. The policy covers liability up to £5 million. Member clubs with an annual turnover of £10,000, fewer than 100 members and who hold meetings in hired premises are eligible to join the scheme. Regular club meetings plus up to 6 fund raising/promotional events and 6 social outings are covered.

The GCN acts as intermediary between GCN member clubs and the brokers to whom it passes member clubs' premiums. The GCN does not charge and handling fee for this service to its members.

Cover excludes:

Hazardous activities such as skiing and mountaineering etc.

Abuse such as physical/mental injury due to maltreatment/ill-use, rape, sexual molestation and repeated/continuous course/insulting behaviour/words.

Our brokers are a not for profit organisation who donate any surplus to charitable good causes.

Some venues have their own PLI cover which also covers those hiring their premises but many do not. Furthermore, it is a common condition of hiring premises that clubs have their own PLI cover.

Organisations running shows generally have their own PLI cover which should, in most cases, cover clubs participating in their event but it doesn't harm for a club to have its own PLI cover just in case.

Briefly, other kinds of insurance a club might consider:

The following are not covered by the above PLI scheme.

Libel & Slander/Civil Liability insurance can provide protection against posts by club members and members of the public on club websites/forums/social media sites and on emails deemed to be libellous and verbal comments of a slanderous nature. Of course, the best defence is to ensure club members and the public using club media are restrained and polite and they are moderated constantly and effectively.

Directors' & Officers' liability insurance can provide club officials with personal protection from claims resulting from errors and/or mismanagement of the club and its finances, providing they have acted legally and have not exceeded their powers.

Product Liability insurance might be considered if a club produces items for free distribution or sale.

Property Owners insurance is for clubs who own their own premises.

Employees Liability insurance is mandatory for businesses having one or more employees. It is rare that gaming clubs have employees but there are a few "catch 22" situations clubs need to be aware of. For example:

Non-club member volunteers engaging in club activities can be deemed to be acting as unpaid employees.

Club members being paid some form of remuneration, such as a retainer or subscription discount in return for managerial duties within the club, might be deemed to be employees. In such cases, the club might also fall foul of HM Revenue and Customs over tax and social security issues.

Contents insurance might be considered to protect club assets such as scenery and boards etc. The problem with this is much of the "value" of club assets is in the time taken in their preparation rather than in the simple replacement cost of such items and determining their value in the event of a claim given wear and tear etc. All Risks cover should be added to contents insurance if club assets in transit to/from and use at shows/events are to be covered.