



## Community Service Organisations Insurance Program 2017-18

Community service organisations deliver essential services to members of the public that need it most. Supporting the Victorian community and delivering these vital services can carry significant financial and reputational risk.

VMIA's Community Service Organisations' (CSO) Insurance Program provides insurance coverage for eligible community service organisations funded by Victorian State Government Departments.

### About the CSO Insurance Program

The Program provides a suite of insurance policies to a wide range of organisations such as aged care, disability services and neighbourhood houses; as well as community housing and advocacy services. Insurance policies provided are:

- Public and Products Liability
- Professional Indemnity
- Directors and Officers Liability
- Entity Fidelity
- Personal Accident
- Medical Indemnity
- Volunteer Care Givers Property

### Why it's needed

Due to the breadth of services provided to members of the community, organisations are exposed to claims from a number of sources. These include:

**Clients:** alleging a loss, damage or injury arising from your organisation's negligence.

**Employees:** allegations may include wrongful dismissal, discrimination or sexual harassment.

**Regulators:** investigations carried out by ACCC, WorkSafe, the Privacy Commission or a Royal Commission.

**Business partners:** those who transact business with your organisation may allege a financial loss arising from a breach of professional duty.

**Volunteers:** for injuries sustained while volunteering on behalf of your organisation.

### Policy cover

The Program provides a suite of liability coverages for the organisation, its management, committee members, directors, officers, employees and volunteers.

Policy Cover	Summary	Policy Limit
<b>Public and Products Liability</b>	Cover for your organisation to pay compensation for personal injury and/or property damage to third parties arising from your business activities.	<p><b>Public Liability</b> \$20,000,000 any one occurrence per organisation.</p> <p><b>Products Liability</b> \$20,000,000 any one occurrence and in the aggregate any one Period of Insurance per organisation.</p>
<b>Professional Indemnity</b>	Cover for your organisation for an alleged breach of professional duty.	\$20,000,000 any one claim and in the aggregate.
<b>Directors and Officers Liability (Including Entity Cover)</b>	Cover for civil claims made against your organisation's directors and officers (including employment related matters) while acting in their capacity representing your organisation.	\$20,000,000 any one claim and in the aggregate.
<b>Entity Fidelity</b>	Cover for loss of your organisation's money or other property arising from any dishonest or fraudulent act committed by an employee or volunteer of your organisation.	\$100,000 any one claim and in the aggregate.
<b>Personal Accident</b>	Cover for volunteers and eligible people within your organisation, whilst performing their duty, for accidental bodily injury that results in loss of life, permanent or temporary disablement.	Lump sum benefits up to \$250,000.
<b>Medical Indemnity</b>	Cover for claims alleging negligence while providing health care services.	\$20,000,000 any one claim and in the aggregate.
<b>Volunteer Care Givers Property</b>	Cover for the property of volunteer care givers in the event that it is damaged by people in their care.	Up to the value of the property damaged, but not exceeding \$1,000,000.

\* For full policy terms and conditions please refer to VMIA's website.

**Excess:** The only excess applicable is \$25 for non-Medicare medical expenses under the Personal Accident policy.

**Policy period:** The policies renew at 1 July every year.

**Victoria-wide coverage:** These products provide a comprehensive suite of liability coverage for CSOs and their activities originating in and from Victoria, including limited cross-border activities.

VMIA is able to extend the Program to cover business activities that originate outside Victoria under certain criteria at an additional cost.

The policies respond to pay any damages on the CSO's behalf and also fund the defence of the original action.

**Other insurances:** The Program does not provide cover for:

- Buildings, Contents or any property owned by your organisation or for which your organisation is responsible
- Construction Works
- Motor Vehicles
- WorkSafe/Workers Compensation

### More information

Visit [www.vmia.vic.gov.au](http://www.vmia.vic.gov.au), phone 9270 6900 or email [contact@vmia.vic.gov.au](mailto:contact@vmia.vic.gov.au).

# Frequently Asked Questions

## **How can we receive a certificate of currency?**

A certificate of currency acts as proof of your insurance. A set of certificates is emailed to the head of your organisation prior to 1 July each year.

You can request or download a copy of your certificate on VMIA's website at [www.vmia.vic.gov.au/secure-portal](http://www.vmia.vic.gov.au/secure-portal)

## **Are our volunteers covered?**

Yes, volunteers who work for your organisation are covered while volunteering on your behalf.

Volunteers are covered for claims made against them by third parties alleging property damage, bodily injury or financial loss under your Program. They are also covered if they get injured while volunteering on your behalf.

## **Are contractors covered under our Program?**

No, contractors are not covered. You should request a copy of their certificate of currency to ensure they are adequately insured. However, contractors who are receiving payment for providing educational, training services or training related activities on behalf of your organisation are covered.

## **Do we have to notify VMIA of every activity or event?**

It is not necessary to notify VMIA of every activity or event your organisation engages in. The Program provides insurance coverage for your involvement in events such as sausage sizzles, market stalls, functions or excursions; however your organisation must authorise and have control of the activity or event.

Your organisation's board or committee of management must be satisfied that the organisation has sufficient capability to engage in the activity. This would require the application of risk management to identify, assess and treat potential risks before approving the proposed activity.

## **Are our organisation's buildings and contents covered? What about construction activities?**

No, there is no cover for your building or contents. In addition, motor vehicles, goods in transit or workers compensation are not covered by the Program. Construction activities are not covered. If you are using a builder, make sure they hold contract works and construction liability insurance.

## **Can this Program be extended to cover contents or any other liability?**

No, your Program is arranged and funded by the Department of Health and Human Services. If you need any insurance cover outside the Program contact your insurance broker.

## **We have people and groups outside our organisation offering to raise funds for us. Are their activities covered under our Program?**

If the fundraising event is not run or controlled by your organisation then your insurance does not cover these people or groups.

## **Are people who attend our event covered under our Program?**

No, people who participate in your events are not covered. Your organisation, its employees and volunteers are covered for any legal liability arising out of their negligence to a third party including participants.

## **Are stall holders covered under our Program at a community event we organise?**

No, stall holders are not covered and you should request a copy of their certificate of currency to ensure they have adequate insurance cover.

## **Are goods sold and/or products manufactured by our organisation covered?**

Yes, your Program covers you for personal injury or property damage claims arising from any goods sold and/or products manufactured for which you are legally liable.

## **Can you assist us with our risk management obligations?**

VMIA has a number of useful risk management resources available on its website including guides, tools and templates to assist implementing and improving your organisation's risk management practices.

## **Are we covered while transporting clients to functions or events?**

If an injury occurs while you are transporting a client to a function or event, this incident would typically be covered by statutory third party insurance (TAC in Victoria). This applies to registered motor vehicles only, so please ensure you make the relevant enquiries as to the vehicle's current registration.

However, if an injury occurs as a result of your negligence, errors or omissions, you are covered subject to terms and conditions of the Program.

## **We will be hiring a venue or leasing temporary premises for our event. Are we covered?**

Yes, you are covered for your negligence at any premises in Victoria, or any temporary premises or venue you may lease or hire. However, it will not cover any negligent acts of the landlord, guests, customers or participants.

### **We will be leasing a room at our premises to a third party group. Will our Program cover this?**

You are covered for your negligence to third parties as a property owner, but your Program will not cover any negligent acts of the hirer, guests, customers or participants.

### **An unincorporated community group has asked for cover under our Program. Are we able to provide this? Can we auspice them?**

Your Program, in certain circumstances, accommodates cover for auspice arrangements. This has the benefit of enabling unincorporated community groups with limited economic resources to access your insurance cover as the auspice body. This aim is to support the unincorporated group carrying out activities that align to your own purpose and objectives. This arrangement does not extend to incorporated groups. You should contact VMIA to determine if a group can be auspiced.

### **What do we do in the event our organisation ceases to exist or is merged with another organisation?**

You must contact VMIA and notify the relevant funding Department when you become aware of this. You must also advise VMIA of any claims, outstanding matters or incidents that could give rise to a claim. Once your organisation ceases or is merged with another organisation, your Directors and Officers Liability Policy will provide automatic run-off cover for up to seven years.

### **Are we covered for activities for which we receive funding?**

All activities undertaken by your organisation are covered irrespective of how they are funded. Unless you have applied for Australia-wide cover, your cover is restricted to activities originating in Victoria.

### **What if we lose our departmental funding?**

If you lose your funding the relevant Department will inform VMIA that your organisation is no longer receiving funding and advise if cover under the Program will continue or cease. You should also confirm the validity of your insurance period with your Department. If cover is to cease, we allow you 30 days from your end date of funding to arrange alternative insurance.

### **Is the organisation insured against employment practices violations such as unfair dismissal and discrimination claims?**

Yes, your organisation and its directors, officers and employees are covered for claims (including reasonable

legal, accounting and other professional fees) alleging an employment practices violation.

### **If we appoint additional or alternate directors during the year, are they covered?**

Any new or additional directors who are appointed during the year are automatically covered.

### **If a director resigns, are they still covered?**

Yes, directors who resign are covered while this insurance remains current. The cover provides protection for these directors while they acted on behalf of your organisation, for as long as this insurance remains in force.

### **Do we need to notify incidents to VMIA?**

Yes, you are required to notify VMIA immediately if your organisation becomes aware of an incident which may give rise to a future claim. Complete an Incident Notification Form at [www.vmia.vic.gov.au/reportincident](http://www.vmia.vic.gov.au/reportincident)

This must be done in addition to reporting the incident to your funding Department. If you fail to promptly notify VMIA of an incident you may not be protected in respect of any subsequent claim. If in doubt, report it or contact VMIA for advice.

### **How do I lodge a claim?**

Download the relevant claim form from VMIA's website at [www.vmia.vic.gov.au/lodgeclaim](http://www.vmia.vic.gov.au/lodgeclaim)

Email or send the completed form to [claims@vmia.vic.gov.au](mailto:claims@vmia.vic.gov.au). Alternatively, you can contact our claims team on 03 9270 6900.

To avoid prejudice to your organisation's rights under the Program you should not settle a claim or admit liability without first obtaining VMIA's written approval to do so.

### **With the introduction of the National Disability Insurance Scheme is my organisation still eligible for cover with the Program?**

The eligibility criteria for inclusion in the Program requires that:

- you have a current ongoing funding service level agreement with the Victorian Department of Health and Human Services
- your head office is based in Victoria
- you are a registered incorporated association (not-for-profit).

You should confirm your eligibility for inclusion in the Program with the Department of Health and Human Services.