

Insurance Procedures

1.0 Introduction

The University aims to take reasonable steps to protect:

- The health and safety of its staff, students and visitors.
- The assets of the charitable foundation.
- The property of its staff, students and visitors as long as they take reasonable precautions themselves.

The University uses insurance as a risk management tool. The level of cover and excesses are reviewed each year with advice from the University's insurance brokers (Aon), who have a range of higher education clients, and so can advise on current best practice.

The policies currently enforced are available from the Supply Chain Manager.

If you need any further guidance, contact the Supply Chain Manager.

2.0 Responsibilities

Managers are responsible for ensuring that all activities in their area are suitably covered by the current insurance policy. The insurance period is 1 August to 31 July each year and is managed by the [Supply Chain Manager](#). The following points should be noted:

- A condition of all our policies states that reasonable care is taken to prevent accidents and loss or damage. In most cases, this means using common sense. However, if advice is required the following people should be consulted as appropriate:
 - Head of Campus and Residential Services (security matters)
 - Health and Safety Adviser
 - Supply Chain Manager (insurance renewal and cover)
 - Finance Senior Departmental Administrator (insurance claims and insurance queries)
- It is important that care should be taken to minimise risks. Risk documents and guidance for Schools/Departments are available on the staff intranet on the [Health and Safety page](#).
- Where appropriate, managers should refer to the Health and Safety documents, available on the staff intranet on the Health and Safety page as above.
- Any potential new risks or substantial new assets requiring cover should be reported to the [Supply Chain Manager](#). Please note that it is not possible to obtain insurance for an asset without quoting an estimated value for that asset.
- Any new buildings to be constructed or new services of a Medical Malpractice nature should be reported to the [Supply Chain Manager](#) for onward reporting to Aon to ensure cover is obtained where applicable.

- It is essential that claims are made promptly with the insurance company, with supporting documentation whenever appropriate. Any queries arising should also be dealt with promptly.

Ministry of Justice Reforms (MoJ) – current dates and limits are fluid and should be checked on [The Law Society](#) website.

- Important changes to the Civil Justice rules relating to the conduct of bodily injury claims were introduced in 2013, one of the purposes of which is to reduce legal fees and profit opportunities for claimant solicitors and claims management companies.
- Employers' Liability (EL) claims will go directly to the YSJU insurers Aviva via their claim's portal.
- Under the new Portal guidelines - The Civil Procedure Rules lay out the following requirements for claims handling:
 - For EL claims, the timescale to admit liability and communicate a decision is 30 working days and for Public Liability (PL) claims the timescale is 40 days.
- Although speed of response is therefore essential, reaching the correct decision on liability remains paramount and this will only be possible if all the relevant documentation is available.
- All staff have a responsibility for using common sense and taking reasonable precautions to protect people and property at all times.
- Cyber incidents or data breaches should be reported promptly. Guidance can be found on the [Data Protection](#) webpage of the University website.

- If new research is being carried out, please ensure ethics approval is granted and if required that it be passed to Aon. Research that involves a clinical trial or where it is new travel to a high-risk location not previously declared should also be advised.
- Should you be entering into new contracts or significant changes to activities or a new partnership, please report this to the Supply Chain Manager at least one month before commencement. The Supply Chain Manager may refer the matter to Aon should there be insurance clauses or significant additional liabilities to be reviewed.

2.1 Travel for Staff

Broadly, staff are covered if on University business, unless travelling against Foreign Office advice. If staff are also taking leisure time, they will need to arrange their own travel insurance cover for that period. It is the responsibility of each member of staff who travels abroad to:

Ensure the latest [Foreign Office](#) advice is known

- We also have access to [Chubb Travel Smart](#), which is a service we have access to through our insurance and can be viewed via a PC or an app. You can register on the website or app with your name and email and the company policy number which can be found on the client information letter and you will have access to the following:
 - Travel Advisories
 - Risk Rating
 - A breakdown of the Risk Rating
 - An overview of your selected Country

- Detailed information on your selected Country, such as Political Conditions, Security Issues, Travel Logistics, Cultural Factors, and Travel Health.
- Follow the travel booking guidance on the [staff intranet](#).
- Make sure that at least one member of the party carries a copy of the travel insurance documentation available from the Finance Policies section of the University website under [Insurance](#). These documents provide an emergency assistance number to call if necessary and gives a summary of the cover available.
- If at any time during the trip the situation changes it is wise to re-check the [Foreign Office](#), [Crisis24 website](#) or Chubb Travel Smart website/app for advice. You should not move to a new country without checking the current advice if there is any reason to believe there is any kind of unrest occurring in that country.
- Ensure reasonable precautions against damage or loss are taken at all times.
- Any loss or damage caused by a criminal or malicious act should be reported to the Police immediately and a copy of their report obtained.
- If you will be driving a hire car overseas, it is important that you ensure you have cover in advance of the trip. A driver who has a clean licence and is travelling to the European Union (EU) must follow the process in the section below – Driving in the EU Post Brexit. **All other cases** must be checked with the Finance Senior Departmental Administrator, in good time for the appropriate enquiries to be made.

2.2 Travel for Students

Broadly, students are covered if on University business outside of the UK, unless travelling against Foreign Office advice. Before students travel:

- Their School should provide them with or direct them to the travel insurance documentation available on the Finance Policies section of the University website under [Insurance](#). These documents provide an emergency assistance number to call if necessary and gives a summary of the cover available.
- Students travelling abroad through the Study Abroad Office, will be provided with the necessary insurance information before they travel. Details can be found on the [Study Abroad “While you’re abroad” section](#) of the York St John University (YSJU) Moodle site.

2.3 Travel Information/Assistance available to Staff and Students

- The following Travel and Personal Accident Insurance documents are available on the Finance Policies section of the University website under [Insurance](#):
 - YSJU Travel Insurance Policy Schedule
 - YSJU Travel Insurance Policy Wording
 - YSJU Travel Insurance Client Confirmation Letter
 - AonProtect Employee travel pack
 - AonProtect Employee Assistance Card
 - Chubb Travel Smart Information
 - Chubb Travel Smart App Download Instructions

- It is recommended that staff and students download the Chubb Travel Smart App before they travel as it contains a lot of information about destinations, culture, currency converter, security, alerts, etc that they may find useful before and during their trip.

2.4 Driving in the EU Post Brexit

- Now that we have left the EU a Green Card will be required if any YSJU staff and students are driving within the EU.
- If a Green Card is required can you please e-mail the following details to [RMP Partners](#).
 1. Name of Driver(s). (Onto the card we will automatically insert the name and address of the policyholder). If there are to be multiple drivers we will just insert the name of the insured and we recommend the policyholder maybe provides the driver(s) a letter of authority to drive and use the vehicle as this may alleviate potential issues in the event of the driver being stopped.
 2. Dates of travel including expected departure date and expected date of return.
 3. Vehicle type/detail – make and model.
 4. Vehicle Registration Number (VRN) (or if none then the Chassis or Engine Number).
 5. Details of any trailer/caravan being taken, with the same information as requested in (3) and (4) above to be provided.
- Upon receipt of the details RMP Partners shall endeavour to e-mail the green card out within 24 hours of receipt. For green cards required at very short notice we suggest you telephone through in advance. Also please note:

- The green card will be valid for a minimum 15 day period.
- Will be issued as a PDF document - we would ask all insured to print out the green card and take a hard copy with them in case they are required to produce the document, given that If the driver is not carrying a green card when it is required to do so, then they will not be able to drive legally in an EU member state.
- Motor Accidents in Europe form is to be issued with each Green Card which briefly explains the procedure if involved in an accident.
- A copy of the European Accident Statement form and Foreign Agents Directory form are available upon request.

3.0 Employers', Public and Products Liability

Under no circumstances must any admission of liability be made or any correspondence be entered into.

In the event of an incident involving injury to staff or others (including students) or damage to their property, an Accident/Incident Report Form should be completed [online](#) and reported to the Health and Safety Advisor and Finance Senior Departmental Administrator **immediately**.

Should a formal claim be brought against the University then all correspondence received should be forwarded **unacknowledged** to the Finance Senior Departmental Administrator **immediately**.

The University Employer's Liability Certificate can be accessed on the [Finance section](#) of the University website under Insurance.

4.0 Professional Indemnity

You must notify the Director of Finance immediately:

- If a claim is made against you.
- Upon receipt of a “notice of intention” to hold you responsible for any matter which could result in a claim.
- Of any circumstance(s) of which you become aware which would give rise to a claim against you.

Failure to do so is a breach of insurance conditions and could prejudice your rights.

In addition, any circumstances or claim must be reported to insurers within the period of insurance that notification was first received.

In the event of a circumstance of claim:

- Do not admit liability – send full details of the allegations/claim to the Finance Senior Departmental Administrator.
- Do not enter into any correspondence – send all documents, letters or summonses to the Finance Senior Departmental Administrator, **unanswered**.
- Do not incur any costs, charges or expenses or agree compensation without the consent of insurers.

5.0 Uninsured Losses

Uninsured losses should be reported to the Head of Campus and Residential Services. The reason why a claim is not pursued should be noted. It is not necessary to produce a detailed estimate of the value of the loss, but an approximate total figure is required.

It is important that there is a record of these losses. When the policy is renewed, the information will be used to assess possible changes in insurance cover, including the level of excesses. It should be borne in mind that lower excesses often lead to a very large increase in the premiums payable.

6.0 Personal Injury Claims

Prompt processing is essential when personal injury claims are made. If it is thought that a claim might occur, ensure that any relevant CCTV footage is stored on CD in a secure location. In all cases of injury, staff should ensure that:

- An accident form has been completed online and sent to the Health and Safety Advisor.
- All witness statements have been recorded.
- A report has been sent to the Health and Safety Adviser and Finance Senior Departmental Administrator.

7.0 Student Placements

While a student is undertaking a work placement as part of their course, it is important that the University takes reasonable steps to ensure their safety. However, during these placements the student is not under the direct supervision of

the University, as this role is being carried out by the host organisation's staff. It is important that the responsibilities are made clear at the outset and that evidence is obtained from the other party confirming that they are accepting liability for the student and have Employers Liability or Workers Compensation (whichever is relevant) and Public Liability cover. It is wise to obtain a copy of the placement's provider risk assessment.

Under no circumstances should any member of staff sign anything presented by the host organisation clarifying liabilities without seeking clearance from the Finance Senior Departmental Administrator. In most cases it will be necessary to seek advice from Aon before proceeding.

8.0 Claims

8.1 Travel Claims

- All travel claims/emergency assistance for either staff or students should be reported as soon as possible to Aon Protect Assistance using the phone number given on the travel insurance documentation they should have with them.
- Staff/students should inform their relevant Department/School and the Finance Senior Departmental Administrator.
- No costs, other than emergency expenses, should be incurred without insurer's approval.
- Depending on the incident, staff/students will be advised by Aon Protect Assistance on the procedure to make a claim.

- If the staff/student requires a claim form, they should request one from the Finance Senior Departmental Administrator.
- All claim forms must be completed, hand signed and emailed to the address on the form and copied into the Finance Senior Departmental Administrator as soon as possible. Failure to do so could result in the claim being uninsured.
- The Finance Senior Departmental Administrator should be copied into all correspondence with the insurance company with regards to the claim, as a central claims register is kept by the Finance Senior Departmental Administrator.
- Any questions/queries should be directed to the Finance Senior Departmental Administrator.
- Students travelling abroad with our Study Abroad Office should be made aware of the claims procedure before they travel and the procedure is available on the [Study Abroad “While you’re abroad” section](#) of the YSJU Moodle site.

8.2 Other Claims

All claims should be notified within twenty four hours of the incident to the following staff, who will be able to provide the appropriate claim form:

- Motor claims – Estate Management and Development, email [Estates Admin.](#)
- Other claims – Finance Department, Finance Senior Departmental Administrator.

Failure to inform the insurance company can either put the claim in jeopardy or make settlement more difficult especially if the facts are obscure.

No costs, other than emergency expenses, should be incurred without insurer's approval. You should take any action which is reasonably practicable to prevent further loss or damage.

The relevant claim forms should be completed, signed and returned to the email address on the form and copied in to the Finance Senior Departmental Administrator as soon as possible after the incident, together with all relevant supporting documents, including witness statements, receipts for stolen goods, purchase orders for replacements and so on.

Departmental and School staff should report any accident/incident to the Health and Safety Adviser using an accident/incident form online. Care should be taken to obtain the names of any witnesses and if appropriate, signed statements by such witnesses.

9.0 Specific Requirements for Motor Claims

9.1 General Guidance

- Any incident that may give rise to a claim should be notified to the insurer as soon as possible irrespective of the amount of damage or whether the motor policy is comprehensive or third party only – this must be done via estates admin as detailed below.
- Under no circumstances should a driver/employee admit liability or make any offer of payment to a third party or his insurer.
- It is vital that the driver notes the registration number of vehicle(s) involved. The full name and address of each driver should be obtained. A mobile phone number proves insufficient in many cases.

- It is vital to obtain contact details of any witnesses, and preferable to also obtain statements from such witnesses if possible.
- Photographs and a detailed sketch (showing road markings) may also assist if liability is subsequently disputed.
- In the event of a **fault** and/or **injury** claim it is equally important that notification is made to the insurer, providing full details of the third party so his claim may be dealt with swiftly in the most cost-effective manner (via estates admin).

9.2 Total Loss Claims/Theft

It is important that all paperwork is submitted to the insurer without delay (via estates admin). The following documents will be required:

- V5 Registration Document
- The MOT certificate (if applicable)
- All keys
- The original purchase receipt
- Service documents may also be requested

9.3 Hire Cars

Where damage has been sustained by your vehicles:

- Drivers need to contact Enterprise who will make arrangements for the collection/repair of the vehicle. Estates Admin must be contacted as soon as possible after Enterprise are contacted.
- Any third party correspondence should be forwarded unacknowledged to QBE UK Ltd (via estates admin) immediately.

9.4 YSJU Vehicles

Where damage has been sustained by YSJU vehicles:

- Please contact estates admin. If repairs are to be carried out at a non-approved repairer, then the insurer will require two estimates submitting (via estates admin), along with the completed claim form. The vehicle should then be booked in at the repairer who provided the lowest labour estimate, allowing the insurer four working days' notice in order to arrange an inspection. Please note that the insurer will not actually authorise repairs to the vehicle without receipt of a completed claim form.

It is important that all sections of a claim form be fully completed. Vehicle and driver details questions are often not fully answered and this can create delays in claim settlement.

You must be aware that failure to report an accident promptly may entitle your insurer to repudiate the claim. Any summons, notice of proceedings or prosecution, inquest or fatal injury must be forwarded to QBE UK Ltd immediately via Estates Admin.

10.0 Complaints from Staff or Students

It is important that all potential claims are notified to the insurers as quickly as possible. Any correspondence threatening legal action should be copied immediately to the Finance Senior Departmental Administrator, for forwarding to Aon. If in any doubt, advice should be sought.

11.0 Statutory Inspections of Equipment

Certain types of asset, such as boilers and lifting equipment, should be subject to regular statutory insurance examinations. Any manager who is aware of any equipment for which such inspections that may be necessary should consult the maintenance department to ensure that all the necessary inspections are being carried out.

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