

# Public liability and employer's liability

Information to help community groups decide if they need public liability and/or employer's liability insurance.

## What is public liability?

When you organise an activity or event you have 'public liability'. This means that your group could be responsible if any of the following things happen to a member of the public at your event:

- ♦ injury
- ♦ damage to their property
- ♦ loss of their property

If any of these things happen to a member of the public at one of your events, and they think it was caused by the negligence of your group they could make a claim against your group, asking you to pay an amount of money to them.

The term 'public' means anyone who is not an employee or volunteer, so it includes members and anyone else attending your events and activities. You also have responsibility for volunteers and employees, but they are not 'public'.

## Do we need public liability insurance?

If you have public liability insurance the insurance company may pay if a claim is made against you.

There is no legal requirement to have public liability insurance, so your group needs to decide if you want to take out this insurance or not.

When making your decision think about the following things:

- ♦ The venue that you use for your meetings, events or children's club might have their own public liability insurance, which will cover claims against them if an accident is caused by a problem with the venue.
- ♦ If you use sessional freelance workers, such as sports instructors, they may have their own insurance for accidents caused by mistakes made by them.
- ♦ Accidents caused by your group's mistakes may not be covered by venue or instructors' insurance.
- ♦ Some funders insist on you having insurance as a condition of awarding a grant.

## What is employer's liability?

Employer's liability is the same as public liability except instead of referring to members of the public, it refers to your group's own volunteers or employees. So, if an employee or volunteer has an accident at your event, and they think it was caused by your group's negligence, they could make a claim against your group.

## Do we need employer's liability insurance?

If you have paid employees, you are required by law to have employer's liability insurance.

If you have volunteers, you can take out employer's liability insurance to cover your group if a volunteer gets injured and makes a claim against you. Public liability insurance will not cover you for volunteers. You can take out a joint public liability and employer's liability insurance policy, if you want both types of insurance.

## Should we carry out a risk assessment?

Your group has a responsibility to ensure that your activities are run in as safe and appropriate a manner as possible. You can do this by thinking about health and safety and by carrying out risk assessments. If you take out public and/or employer's liability insurance, your claim may be invalid if you have not done a risk assessment.

A risk assessment ensures that you have thought about all the possible dangers and hazards beforehand and done as much as you can to prevent them. It does not guarantee that nothing will go wrong, but it should reduce the chance of problems occurring.

If anything does go wrong, a risk assessment will show that you have done your best to predict and remove any risks. Our information sheets *Health and safety for community groups* and *Risk Assessments* go into more detail about how to conduct a risk assessment.

## More information

You may find the following information sheets useful:

- ♦ *Risk Assessments*
- ♦ *Health and safety for community groups*

We also have a list of insurance providers on our website:  
[www.resourcecentre.org.uk/service/insurance-suppliers](http://www.resourcecentre.org.uk/service/insurance-suppliers)