

Insurance and work experience

The DCSF publication, The Work-related Learning Guide - first edition highlights that, the Association of British Insurers (ABI) has issued the following guidelines:

- The principle risks, which may arise as a result of work experience and other visits are:
 - injury to the learners themselves;
 - injury to others on the premises (employees, visitors, customers etc);
 - injury to others who are not on the premises (including customers and members of the general public);
 - damage to, or loss of, employers' property; and;
 - damage to, or loss of, other property (e.g. the learner's or a customer's property).

The majority of employers will carry insurance policies that cover most risks arising from work experience and other visits, provided that the work experience is in accordance with the normal business practices of the employer. Employers' Liability insurance covers the employer's liability in respect of work related injuries to employees. This insurance is compulsory by law.

Policies must provide cover for at least £5 million per occurrence, although most policies cover up to £10 million. Policies normally cover all conventional employees, contact, casual and seasonal staff as well as temporary staff, including workplace learners.

Public Liability insurance provides cover for injuries to the public or damage to, or loss of, their property the term 'public' means anyone other than employees, so it includes learners on work experience, volunteers, activity participants, spectators and visitors. Typically, policies offer cover of them between £2 million and £5 million.

The ABI, the British Insurance Brokers Association (BIBA), and Lloyd's of London have agreed that, as a matter of convention, learners of work experience are to be treated as employees for the purposes of insurance against bodily injury (that is, they will always be covered by the Employers' liability policy).

A learner's injury arising from other visits would normally be covered by the employer's Public Liability policy. Any injuries caused to employees by learners on work experience should normally be covered by the Employers' Liability policy. Moreover, any injuries caused to employees or learners, provided they arise out of activities undertaken in the employer's name, should normally be covered by the Employers' Public Liability policy or Employers' Liability policy.

Damage to the employer's property may be covered by the employer's material damage policy. Damage to any one else's property on the premises should normally be covered by the Employers' Public Liability policy.

Finally, when arranging work experience placements, requests are often made for home learning bases/schools to sign a form of indemnity, which has been issued by the placement provider. Home learning bases/schools are advised **not** to sign such forms, but rather, submit the document to their respective local authority, who will arrange for the document to be scrutinised, and then signed, if considered

reasonable (see Health and Safety Code of Practice No: 6 – Insurance (revised 2004), Leicestershire County Council).