



Thinking about Insurance as we head back to school

Traditionally the summer term has always been a particularly busy time of year, with school calendars packed with examinations, year-end assessments and extra-curricular events. Operationally there is always a focus on planning for the new academic year. This year, schools face all the additional challenges that arise from adapting to our 'new normal': introducing new procedures to ensure a safe environment for pupils and staff while at the same time producing flexible plans for September within an ever-changing situation.

Not surprisingly, the risks associated with coronavirus are at the front of all of our minds and many of your plans will be focused on effective management of that risk. The link with insurance is clear and it is important that consideration be given to ensure that the school's insurance arrangements remain effective.

In this update our Head of Education, Rachele Kelsall, gives further guidance and advice on some of the key insurance questions being asked by our clients as they implement new measures that facilitate our children returning school-based education.

Each insurer's policy differs in terms of its precise cover so, in some cases, our advice is general rather than specific. We would, however, welcome the opportunity to speak with you directly regarding any concerns you may have, and the specific cover provided by your insurance arrangements.



As our pupils return to school, how do I make sure that the school's insurance policies cover potential claims arising from spread of the virus?

The school has a duty of care to pupils and colleagues to protect against the foreseeable risk of infection on school premises and whilst undertaking school-related activities. It is important, therefore, that schools are following all advice given by Public Health England and guidance from the Department for Education. Risk assessments need to be reviewed, revised, created and documented, with reducing the potential for spread of infection in mind. Thereafter, ongoing periodic checks will be required to ensure that the agreed controls you have implemented remain effective.

Considerations should be given to establish whether any additional training and information for staff is required to make sure they know how to work safely and protect others against COVID-19.

If pupils or staff are accidentally exposed, contract the virus and subsequently make a claim against the school it is most likely that the school's liability cover will respond. Employers' liability and public liability insurance provide protection for the school's liability resulting in personal injury, and generally the insurer's definition of injury will include disease.

We are aware that a number of insurers are seeking to exclude cover for COVID-19 from their public liability policies at renewal and we recommend that you check this with your insurance adviser.

Some of our school buildings have been unoccupied for a number of months. How do I ensure our property insurance remains effective?

While the majority of schools have continued to operate in a limited manner during the lockdown period with provision for children of key workers, many schools will have buildings that have been unoccupied for several months. Some insurers have extended their policies at this time to remove restrictions that would usually apply to unoccupied premises and we recommend you discuss this with your insurance adviser to understand how this applies to your school.

Where buildings have been out of use for a period of time, we would recommend that you inspect the premises to ensure that they remain in good condition. This will include checking that all utilities, water systems, work and emergency equipment (such as, fire-fighting or fire detection equipment), ventilation systems, access routes including any emergency routes or exits remain serviceable.





We are considering planning our school trips for next year. Will the school's travel insurance protect us if the trip is cancelled due to coronavirus?

At the time of writing there continues to be uncertainty as to when restrictions on travel will be lifted.

Most insurers will be applying a COVID-19 exclusion to their annual travel policies from renewal. The extent of that exclusion varies between insurers and may well apply in respect of trips that are scheduled to happen after the policy renewal, despite the booking having been made before the pandemic began.

Given that the uncertainties are likely to remain for some time surrounding travel, your school may decide to delay planning of trips for the forthcoming academic year. Rather than renewing the school's annual travel policy, it may be worth considering a "per trip" travel policy, where the cover may be more specific and flexible.

We are considering alternative futures for our school. What are the insurance implications?

There seems little doubt that the financial impact of the pandemic will have significant consequences for many independent schools. Governors and proprietors will be considering the long-term future of their schools, including opportunities for merger or sale.

It is hugely important that the breadth and scope of the school's Directors' and Officers' cover is reviewed in line with merger/ sale considerations well ahead of decisions being made. In order to protect the leadership team from claims arising from their decisions and actions the school should ensure that their current D&O cover provides the right to run-off cover. Without this there would be limited cover in force for claims that materialise at a later date.



The value delivered by the school's insurance programme has never been more important. Have your Insurance arrangements responded in the way you expected? Has the school received the advice and support from its insurance provider that it needed?

As insurance brokers for the education sector Hugh J Boswell have been advising head teachers, bursars and governors for many years on all aspects of risk management and now more than ever, we are working closely with our schools and guiding them through the insurance issues of these challenging times. We hope you find this updated edition of Educated Risk a timely and useful resource that will develop your understanding of the insurance cover for coronavirus. We are happy to discuss, in confidence, any issues or concerns you may have about this matter or your wider insurance needs.



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