

Equestrian

THE PONY CLUB

BRANCHES AND MEMBERS INSURANCE QUERIES

Q. What cover do Branches receive?

A. The District Commissioner, committee and officials, volunteers and instructors are insured for Public and Products Liability up to £ 30,000,000 for any one claim in respect of all officially organised activities, including social and fund-raising activities. In addition, legal costs incurred with Underwriters' consent are insured. Each Branch is also insured for Employers' Liability up to £ 10,000,000 any one claim, including authorised legal costs.

Q. What cover do Members receive?

A. Branch and Centre Members are insured for equestrian related Personal Liability 24 hours a day up to £ 30,000,000 for any one claim, excluding business activities. The liability of one member to another is covered, as are authorised legal costs.

Q. Are there any excluded activities under the Members' Personal Liability cover?

A. The policy does not cover racing, point to point, steeplechasing or team chasing. The only exception to this is Official Pony Club Race Days and Training Days.

Also, business activities are excluded and your pony must not be used for hire or reward.

Q. If my friend borrows my pony, are they covered for Personal Liability?

A. Yes, provided you or your parents have given them permission to borrow it and your friend is not insured under another policy.

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Q. Am I covered by the Personal Liability policy if I borrow a friend's pony.

A. Yes – the policy covers all your non-business equestrian activities, including riding any pony and including such things as your pony escaping from its paddock and causing an accident. However, injury to the pony would not be covered.

Q. My parents occasionally pay a friend to help look after my pony. Is there any cover?

A. Unless they hold their own insurance, your friend would be covered for his/her own liability if he/she was held legally liable for causing accidental bodily injury or property damage as a result of the work, despite the fact that he/she was paid. However, your parents would need to take separate Employers' Liability insurance, in case of injury to your friend: this cover is a legal requirement and may possibly be included under some household contents policies.

Q. What is the difference between Public or Personal Liability Insurance and Personal Accident Insurance?

A. Public or Personal Liability provides cover against being sued for legal liability in the event of accidental bodily injury to a third party, or damage to their property. It is up to the injured person to prove that legal liability exists.

Personal Accident covers Insured Persons for specific amounts in the event of accidental death or disablement, in specified circumstances. The benefit is payable **without the need to prove legal liability** and consequently paid out much sooner.

Q. How can we obtain Personal Accident cover?

A. Members can buy individual cover. Branches can cover their Members, officials, helpers and instructors by taking an optional "Branch" Policy.

Q. I have been told by my D.C. that if I don't wear the correct clothing I will not be covered by insurance.

A. This is not correct. Organisers cannot use insurance to enforce their rules. However, the Insurers require organisers and Members to take all reasonable precautions to prevent injury or damage and do expect The Pony Club Rules to be followed, regarding hats and other clothing.

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Q. Are our instructors and helpers insured?

A. The Public Liability Policy covers all instructors (paid or unpaid), officials and helpers whilst acting on behalf of The Pony Club, unless they hold their own insurance or are BHS Registered, when the claim would fall under the other Policy or be shared by both Insurers.

Q. Do instructors have to be qualified?

A. No, but the branch must be sure that they are fully experienced and competent.

Q. Are we covered if non-members are allowed to compete?

A. The Pony Club are covered for all their activities so if non-members compete, the Public Liability policy still applies, including for injury to a non-member which results in a claim. However, if a non-member should cause an incident and be sued for injury or damage, the policy does not cover the non-member, who would need their own Personal Liability cover.

Q. My horse has kicked a car at a rally. I feel very bad about it. What should I do?

A. You are not necessarily automatically to blame for the damage. We have to accept that horses and ponies are unpredictable and not always controllable. The car owner has to prove that you are legally liable for the damage. Although there may be circumstances where the Animals Act places a "strict liability" on you, each case has to be assessed on its own merits. The Equine Division of Windsor Partners Limited will handle all aspects for you so please notify them immediately and do not enter into any discussions about the damage. If the car owner phones you, please inform them that your insurers are dealing with the matter. If he writes to you, send the letter or bills to the Equine Division at Windsor Partners Limited. The insurers will decide whether or not you are liable. If you are not liable, then you have no obligation to pay anything and the car owner needs to claim from his own insurance.

Q. We borrow a local riding school arena for our activities. What happens if someone is injured and sues the school proprietor?

A. The Public Liability policy covers any Landowner whose land is used for Pony Club activities, if he is legally liable for injury or damage. The Pony Club policy will pay damages up to £30,000,000, before any policy held by the Landowner.

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- Q.** A Member has kindly agreed to lend us a tent for our camp. What happens if it is damaged?
- A.** This would not be covered by the Public Liability Policy, as it excludes any property in your care, custody or control. It would be covered if the Branch have taken an optional "Branch" policy, which can cover all equipment owned or hired by or loaned to the Branch.

- Q.** What would happen if a Member or parent provided food for a competition and people suffered food poisoning?
- A.** The Policy covers legal liability for all products supplied in connection with an event, so you would be covered if proved legally liable.

- Q.** What cover is provided for trailers?
- A.** The Policy covers legal liability for any injury or damage caused by a detached trailer being used for a Pony Club activity. Once the trailer is attached to a vehicle, this is a Motor Insurance risk if used on a public highway. Even on private land, this may still fall under the motor policy. Persons towing trailers are recommended to advise their motor insurers. The Policy does not cover damage to trailers, which can be covered under an optional "Branch' Policy.

- Q.** As a D.C., I am very concerned in case I am sued for an accident.
- A.** You do not need to worry as the Pony Club Public Liability Policy covers all Pony Club officials if they should be sued as individuals.

- Q.** What should organisers do if a Member is injured?
- A.** All accidents should be reported as soon as possible to The Pony Club Headquarters and to the Equine Division of Windsor Partners Limited. A RIDDOR form will also be required if the injury is serious.

If you receive any correspondence or phone calls about the matter, do not enter into any discussions about this. Just say your insurers are dealing with the matter and send the correspondence to the Equine Division at Windsor Partners Limited.

- N.B.** All cover is subject to the terms, Exclusions and Conditions of the Policies – see the Policy Summary for full details.

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