

INSURANCE FOR STUDENT PLACEMENTS

Guidelines for placement organisers

The University's position is that the Placement Provider holds liability insurance to compensate Students for injuries caused to them or by them, whilst under the supervision of the Placement Provider. Where a Placement Provider does not hold liability insurance, the student should be encouraged to find a Placement Provider who does hold the relevant insurance covers.

Where, in exceptional circumstances, the Placement Provider cannot provide liability Insurance, the University may consider allowing the placement to proceed. The decision on whether to approve a Placement in these circumstances is to be made by a Senior Manager or Head of School within the School/Department concerned.

The Senior Manager should review the due diligence questionnaires, the risk assessments and should enquire whether other, insured, alternatives could be available. They should also note the contribution that the Placement would have to the student's study/future career. If approved, the Student should be made fully aware of the risks to them and should sign an agreement/understanding noting that the University is not legally liable for them whilst at Placement and that no compensation is recoverable from the University.

The Insurance Department is not able to approve or reject a Placement.

The following insurance covers are required:

- 1. Injuries to the student during the course of work on placement (Employers Liability Insurance)**
- 2. Students' liability for injuries and/or property damage that they may cause (Public Liability Insurance)**
- 3. Personal Accident Insurance**
- 4. Travel insurance**
- 5. Professional liability (professional indemnity, clinical negligence, malpractice or errors and omissions insurance).**

- 1. Injuries to the student during the course of work on placement (Employers Liability Insurance)**

a) UK Placements:

Within the United Kingdom, the placement provider is responsible for the health and safety of the student whilst on placement as if the

student were their employee¹.

Most employers are required to hold Employers Liability (EL) insurance². There is an agreement among the UK insurance industry that work experience persons will be regarded as employees by all UK insurers and covered by EL policies.

Alternatively, the Placement Provider may be able to extend their Public Liability Insurance to cover injuries to the work experience person.

The University's Insurance cannot cover the activities or the legal liability of another organisation. Therefore, placement organisers at the University must require Placement Providers to hold Employer's Liability insurance (or extended Public Liability Insurance as noted above).

Some employers are exempt from the compulsory insurance requirement. Notably these include government bodies and family operations. This particularly affects placements by the Vet School as some small farms are still run as family operations and may have no EL cover; equally some vets still operate as one-person businesses with a family member providing administration.

Government departments may seek to contract out of their legal responsibility for the health and safety risk to placement students and transfer the risk (and the need for EL insurance) to the University. Another example from the Vet School, is the Veterinary Laboratories Agency in Northern Ireland (for abattoir visits) where the VLA insists that the University indemnify them for the EL risk to our students on placement.

b) Overseas Placements:

In countries with little legal protection for workers or where Placement Providers refuse to take responsibility for accidents occurring during work activities, the University has arranged limited personal accident insurance. However, cover does not extend to sickness, nor does it offer compensation for injuries etc. (compensation for injuries etc can run into £millions). Students may want to take out their own Personal Accident insurance in addition to the University insurance, however, the University cannot offer advice about this.³

A few countries may require Employers Liability (or Workers' Compensation) insurance to be placed locally. A notable example is Australia. This is also the case in certain states of the USA (e.g. Colorado). The University cannot arrange this cover, so unless the Placement Provider will arrange the necessary cover, the placement **cannot** go ahead.

There is no legal liability on the University and our liability insurance

will not respond. Therefore, placement organisers at the University should require Placement Providers to hold Employer's Liability (Workers Compensation) insurance (or extended Public Liability Insurance as noted above).

2. Students' liability for injuries and/or property damage that they may cause (Public Liability Insurance)

a) UK placements

Within the UK, employers are normally responsible for the negligent acts of their employees, including students on placement. If such acts cause injury or damage to others, the liability will be covered by the Placement Provider's Public Liability Insurance. There is no legal liability on the University and our insurance will not respond.

b) Overseas placements

As with UK Placements, where an Overseas Placement Provider does not hold liability insurance, the student should be encouraged to find a Placement Provider who holds the relevant insurance covers.

The University has arranged limited personal accident insurance. However, cover does not extend to sickness, nor does it offer compensation for injuries etc. (compensation for injuries etc can run into £millions). Students may want to take out their own Personal Accident insurance in addition to the University insurance, however, the University cannot offer advice on the suitability of personally arranged insurance.³

3. Personal Accident Insurance:

The University has arranged limited worldwide Personal Accident insurance for students whilst engaged in an approved University activity including authorised placements.

This insurance provides lump sum payments in the event of catastrophic accidental injury. It does not cover compensation through injury or the like, nor does it provide any cover for sickness.

Students should review the cover and if they feel it does not meet their needs, they should purchase private insurance to top up the University cover.

Details are at:

<http://www.bristol.ac.uk/secretary/insurance/information-for-students/#pai>

Where students are members of certain affiliation groups, such as

The British Veterinary Association, some students may have additional personal accident insurance or other limited liability insurance³.

4. Travel insurance (free and mandatory)

The University provides **free** travel insurance to all UoB students travelling on approved University business. It is a **mandatory requirement that students apply for travel insurance** and details of the cover, as well as the application can be found here:

<http://www.bristol.ac.uk/secretary/insurance/travel-insurance/>

5. Professional liability (professional indemnity, clinical negligence, malpractice or errors and omissions insurance).

Students training for a profession – primarily doctors, dentists and veterinary students – may be held legally liable for professional risks (this can be known as professional indemnity, clinical negligence, malpractice or errors and omissions insurance).

The position is slightly different for these professions:

Medical and dental students

Students working within NHS hospitals in the UK are covered for professional risks under the Clinical Negligence Scheme for Trusts.

A GP practice's medical malpractice cover will cover students placed in GP practices in the UK.

If the placement is in a private hospital, hospice or nursing home, the Placement Organiser needs to ask the provider the following question:

Will your insurance cover the liability of the student for injuries to third parties, including clinical errors, or property damage arising from their duties within your organisation?

If the provider answers “No” to this question it is unlikely that the placement can go ahead. The Organiser should refer to the Insurance Officer for further advice.

Medical and dental students are encouraged to join the appropriate branch of the MDU or MPS. This provides them with free world wide medical/dental malpractice protection during most electives upon application to the MDU/MPS. Placement Providers need to check that students have cover for their electives before authorising any overseas placement. MDU/MPS may not be able to offer elective coverage in some countries due to local regulations (e.g. Australia).

It may still be possible to place students in Australia, but Organisers need to make sure that the local Placement Provider accepts responsibility for any professional errors or omissions or clinical injuries arising from the placement or the student buys locally valid cover..

Veterinary students

There is no need for you to have veterinary practice liability insurance in the UK since any tests, treatment or surgical operations on animals by veterinary students must be under the direction and supervision of a registered veterinary surgeon. Any errors you make are the responsibility of the supervising veterinary surgeon and therefore a matter for his/her insurance.

Placement Providers overseas should be asked the following question:

Will your insurance cover liability of the student for damage, including injury to any animal, arising from their duties within your organisation?

Due to insurance requirements in Australia it is not possible for students to be placed there unless the provider answers “yes”.

Veterinary students placed in the USA *may* be able to purchase economical Veterinary Practice insurance by joining SAVMA. See:

<https://www.avma.org/Pages/home.aspx>

¹ Health and Safety (Training for Employment) Regulations 1990.

² Employer’s Liability (Compulsory Insurance) Act 1968

³ The Insurance Department not authorised to offer financial advice under the Financial Conduct Authority (FCA) rules