

Insurance Fact Sheet

As a coach, official, trainer or referee you have legal obligations to the athletes that you coach and supervise. Although you will no doubt use your best endeavours to responsibly fulfil your respective roles, it is necessary to ensure that you have adequate protection if an athlete makes a successful claim against you.

Understanding your duty

Coaches, officials, trainers and referees are under a duty to take reasonable care of the people under their supervision. Part of this duty is to do all that is reasonable to avoid the participants being injured, including giving appropriate advice and guidance and ensuring competitions are conducted in accordance with the rules of the game. A person making a claim against you as a coach, official, trainer or referee needs to establish the following:

1. A duty of care was owed to the claimant (person making a claim against you).
2. The coach, official, trainer or referee breached the standard of care required.
3. The injury / damage occurred as a result of the breach.

Once a negligence claim is made out you will seek to rely on your insurance to claim compensation.

10 BASIC STEPS TO FOLLOW:

1. **Do you have insurance?** Check with the club, association or organisation that you are coaching or officiating for whether you are covered under its policy.
2. **Read the Policy!**
3. **What does the insurance cover you for?** Check the terms of the insurance policy to determine what activities you are protected against.
4. **What are the exclusions under the policy?** Check the wording of the policy and understand the exclusions provided. Ensure that the specific type of activities you undertake are not excluded. There are often exclusions for harassment and similar behaviour.
5. **What is the extent of cover?** How much will the insurance cover you for if the claim is successful? Is there a limit on the amount of indemnity per claim?
6. **What is the policy period?** It is likely the insurance policy is a claims made policy. This means that you must have insurance at the time the claim is made. Because claims can be made some time into the future it is necessary to ensure you retain some form of insurance after you cease coaching or officiating activities. Speak to your insurance broker about "run off" cover.
7. **Where does the policy extend to?** Are there restrictions in the policy regarding geographic limitations? Will you be covered for all travel?
8. **What is the excess payable in the event a claim is made?** If the policy is provided by your club or association, who pays the excess?

Acknowledgment: This fact sheet has been prepared by Selina Ross of Rigby Cooke Lawyers (03 9321 7888) for ANZSLA – the sports law association

9. **As soon as an incident occurs which MAY give rise to a claim notify your insurer.** If in doubt notify your insurer.
10. **If unsure about anything consult your insurance broker or obtain professional advice.**

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