

Insurance FAQ's for Walkers

Claims

If a participant in a walk gets knocked down by a car, can they claim?

Only if the VWL is negligent would a claim be successful. In other words, if the route has been risk assessed and considered safe and the walker steps out into the road then he/she bears personal responsibility for the accident and is not eligible to claim.

(**Note:** good practice is to warn walkers that there is a road to be crossed and that they need to get themselves safely across.)

If a VWL employed by a Local or Health Authority leads a walk organised by them, during his/her working day (i.e. "paid time") whose insurance covers them during the walk - WHI or LA/HA? And, arising from that, would a paid VWL be eligible for cover under our insurance if he/she were leading walks in their own time, providing they were trained by WHI?

If the VWL was leading a walk organised by his employer (the Local or Health Authority) during his/her working day, the standard Liability Policy of the Authority would pick up the case. If he/she were to lead walks in their own time they could be insured under the WHI scheme as normally their employers' policy would not cover them.

Do employers need to take out insurance to cover led walks promoted to their employees? No, standard liability insurance for employers includes 'sports and welfare activities for the benefit of the employer's employees'. No special cover needs to be arranged.

Can the WHI insurance be extended to cover employees who volunteer to lead walks at their workplace? No, there is no point because the WHI insurance has no employer liability. If the employer invites employees to volunteer to lead walks the employer is still liable and has an 'insurable interest'.

How much does employer liability cost? £1,200 per annum, minimum.

Age

Is there a minimum age for walkers? There is no minimum age, but walkers under the age of 14 must be accompanied by a parent or guardian who must be aged 18 years or over. (**NB.** If a young walker between the age of 14-18 suffers

an injury and his parent/guardian doesn't make a claim at the time, the Children's Act 1998 makes provision for him/her to make a claim in his/her own right at any time during the 3 years following his/her 18th birthday.)

Is there a minimum age for leaders? Yes. The minimum age for leaders is 18.

Can Volunteer Walk Leaders over 75 years of age lead walks? Yes. But they will only be covered for public liability (i.e. injuries to third parties, which includes participants, members of the public, landowners etc, damage to property and trespass. They will not have personal accident cover.

Number of WL Per walk

Is it a condition of WHI insurance that there should always be a minimum of two VWLs on all led walks to validate our insurance? No, it is not. It is part of the risk assessment to show that all 'reasonable care' has been taken in deciding what the appropriate number of VWLs should be. Other factors, e.g. weather conditions, type of surface/route, known health conditions, should also be taken into consideration, as well as number of participants.

If there is a trained walk leader leading the walk, does it matter if the back leader isn't qualified? If the rear person is not trained, then they are classed as a participant as only trained walk leaders are covered by the indemnity.

If there is only one trained walk leader where should they be - front or back? If there is only one walk leader he/she should be at the front of the group but be in a position to assist anyone on the walk in case of difficulties.

Health & Safety

How do we stand with regard to insurance if the route involves a public highway without footpaths? Providing the route has been risk assessed, and the walk leader observes the highway code, which refers to the leaders wearing luminous material during lighting up times and having enough 'competent' people leading the group, then they will be covered by our insurance. If there are a lot of walkers, there should be a trained walk leader in the front as well as a back marker. In addition, for every 8 walkers there should be one competent person wearing luminous material keeping an eye on those 8 people and making sure they do not stray into the middle of the road - this person does not need to be a trained leader.

Does an accident form need to be filled in if the accident is very minor? What happens if the injury becomes more serious later? Yes, an accident form should be filled out on the day of the incident, even for minor accidents, and a copy sent to the WHI Team in Cheltenham. If the problem becomes serious enough for a claim to be made, the original accident form will be on file and can be referred to.

How often should routes be risk assessed?

There is no required frequency but any changes noticed on a walk or changes in weather conditions should trigger a risk assessment of the route before the next walk takes place.

First Aid (Heartstart) Training

Following WHI Volunteer Walk Leader Training do trainees have to have had CPR training before their WHI Insurance is validated?

No, although CPR training is strongly recommended to all WHI Volunteer Walk Leaders (indeed, some WHI trainers give the VWL training certificates to the Scheme Initiator on the understanding that they will not be given to VWLs until **after** they've completed CPR training) it is not compulsory in order to validate the WHI Insurance.

As a VWL am I covered for giving 1st aid assistance in the event of injury on a walk if this was covered during the training session? Yes. The policy would provide cover for any 1st Aid assistance given in the event of injury on a walk which resulted in a claim being made against the 1st Aider that the aid given was not correct or was defective.

We carry a simple first aid kit, but none of our leaders has had 1st aid training. Where do we stand if we administer 1st aid to an injured walker?

If the leaders are not 1st aid trained then they should advise walkers that they have a 1st aid kit, but leave it to the injured individual as to whether to use it themselves. If it is a more serious injury then emergency help should be sought.

Dogs

Does WHI insurance cover dogs taken along on health walks? No. Dogs are the responsibility of owners and they are generally covered under their pet insurance or home contents insurance. Dog owners who take their dogs on health walks do so at their own risk.

Walk Leaders

Is it possible for WHI insurance to cover partially sighted walk leaders?

Unfortunately not. The insurers require that any walk leader is able to see any obstacle which may be a danger to participants on the walk. In their opinion a partially sighted person may not be able to see a danger and this would put participants at risk. However, they do not object to a partially sighted person participating in an organised walk.

Health Walk Questionnaires

What happens if a walk leader has ticked yes to one of the questions on the Health Walk Questionnaire? They would need to get clearance from their doctor, or whoever is treating them for the condition, that it's ok for them to lead walks.

Some doctor's charge for giving such clearance in writing and it may be that not everyone can afford to pay. What happens then? In that case the person concerned should get verbal clearance from the doctor, and provide the name of the doctor and date they were seen so this can be checked by the insurers if it becomes necessary.

What happens if a walker refuses to complete the Health Walk Questionnaire? If a walker refuses to complete a Health Walk Questionnaire then he/she must make a note on the form that they have refused, and sign it.

Children

We have some groups that include mothers taking babies out in prams and pushchairs. Does this mean that they are not covered? Children who are 'confined' (i.e. stay in a pram or pushchair) for the duration of the walk will be covered by insurance. Children under the age of 10 must be accompanied by a parent or guardian. Children aged 10-14 years must be accompanied by an adult.

Is it ok for a walk leader to take their baby along either in a sling or pushchair when they are leading a walk? Yes. But the walk leader concerned must make sure there is always another walk leader with her on the walk just in case she needs to attend to her baby.

Physical Disabilities

Is it possible for adults with physical disabilities to join a health walk? Yes, but some practical arrangements should be made. (1) Each of the participants should be able to undertake the walk without distress. (2) For those who would normally be accompanied there should be an experienced person with them. (3) There should be sufficient walk leaders/helpers to cope with the situation if one of the participants was in difficulty, to assist that person and be able to carry on the walk for the remainder of the participants.