



# INSURANCE – FREQUENTLY ASKED QUESTIONS



## Latest update 30/6/06

These questions relate to **insurance** for volunteer walk leaders who have received WHI or WW2H volunteer walk leader training.

**Volunteer walk leaders who have completed the WHI training may wish to take advantage of our free insurance cover. If you are part of a wider scheme you will need to check whether your scheme co-ordinator has:**

- (a) applied for insurance, and**
- (b) had their application approved and received a letter confirming insurance cover.**

**If the answer to a. and b. is yes, then you will be covered under your scheme's policy from the date you completed your training. If you are leading walks on your own and don't belong to a scheme, you will need to apply on your own behalf.**

**Please note, that a scheme is *not* insured unless the applicant has received a letter from WHI Headquarters confirming cover. If you are not sure, or if you need an application form, please telephone Jasia Krabbe on 01242 533258.**

**Q1. If a Volunteer Walk Leader (VWL) is trained under one scheme will they still be covered if they lead walks under several different schemes, or do they need separate insurance for each scheme?**

A1. **Yes.** It's the VWLs rather than the scheme who are insured, so it doesn't matter how many schemes they are involved in so long as they've been trained by us.

**Q2. Is there a maximum number of VWLs for which a scheme can get insurance cover?**

A2. No, a scheme can get insurance cover for an unlimited number of VWLs. However, the premium we pay for each scheme is calculated on a maximum of 50. So for a scheme with up to 50 VWLs we pay one premium, for a scheme of 50 - 100 the premiums double, etc. **It is very important therefore to tell us exactly how many VWLs are in your scheme so we can make sure you are adequately covered.**

**Q3. If a participant in a walk gets knocked down by a car, can they claim?**

A3. 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.)**

**Q4. If I organise a walking festival on behalf of a Council and someone taking part in the festival is injured or knocked down by a car, who is liable?**

A4. In all probability it would be the vehicle driver who would be responsible, if it was not the direct fault of the injured party.

**Q5. If our VWLs take part in a Council led walk, will they be covered by WHI insurance?**

A5. If they were leading the walk the answer is yes, but if the walk was being led by anyone other than one of the VWLs then no.

**Q6. If a person taking part in a walking festival organised by a District Council gets injured, whose insurance will they claim against - WHI or District Council?**

A6. If the injury occurs because of something the VWL did (or did not do), then WHI Insurance will cover it. If, on the other hand, it's something to do with the organisation of the walk then they should claim against the District Council.

**Q7. Is there a minimum age for walkers?**

A7. 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.)

**Q8. Is there a minimum age for leaders?**

A8 Yes. The minimum age for leaders is 18.

**Q9 Following WHI Volunteer Walk Leader Training do trainees have to have had CPR training before their WHI Insurance is validated?**

A9 **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.

**Q10. 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?**

A10. **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, eg weather conditions, type of surface/route, known health conditions, should also be taken into consideration, as well as number of participants.

**Q11. How do we stand with regard to insurance if the route involves a public highway without footpaths?**

A11. 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.

**Q12. Is Northern Ireland covered?**

A12. **Yes.**

**Q13. Does this policy cover launch events?**

A13. **No** - unless the launch event is an actual walk. It is the responsibility of the organiser of the launch to have adequate insurance.

**Q14. Up to what length of walk is the insurance valid for?**

A14. There is no limit to the length. However, the VWL should make sure that, before the walk takes place, all participants are told how long the walk will take and the terrain it will cover. They should stress that anyone who is not fit enough to take part should either give this particular walk a miss, or undertake it at their own risk.

**Q15. Do employers need to take out insurance to cover led walks promoted to their employees?**

A15. 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.

**Q16. Can the WHI insurance be extended to cover employees who volunteer to lead walks at their workplace?**

A16. 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'.

**Q17. How much does employer liability cost?**A17. £1,200 per annum, minimum.

**Q18. I want to run some walks during the summer holidays in which families can participate. Is it OK to send a disclaimer to parents who want to send children under 14 unaccompanied.**

A18. No. A disclaimer does not have any validity if it concerns children. You should say that children under 14 cannot take part in the walk unless they are accompanied by a responsible adult.

**Q19. If I give a VWL a lift to the walk in my car, is he/she covered during the journey?**

A19. **No.** Your own motor insurance provides that cover.

**Q20. 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?**

A20. **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.

**Q21. 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?**

A21. 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.

**Q22. If a VWL takes, for instance, a cardiac rehab patient on a one-to-one walk would he/she be covered by WHI insurance? (This question is more about the medical condition of the walker than the ratio of VWL to walker.)**

A22. Yes. A VWL may take a cardiac rehab patient as long as the patient has obtained confirmation in writing from his doctor that it is OK to undertake the exercise. The VWL is of course not qualified to know whether the exercise is suitable or not.

**Q23. Would WHI insurance cover an VWL suffering from petit mal (a mild form of epilepsy)?**

A23. Possibly. But the VWL must write to us stating when he/she suffered the last attack, how frequent they are and whether the condition is controlled and stable. This will be passed to the underwriters who will make their decision based on the information provided.

**Q24. Does WHI insurance cover dogs taken along on health walks?**

A24. 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.

**Q25. Is it possible for WHI insurance to cover partially sighted walk leaders?**

A25. 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.

**Q26. What happens if a walker refuses to complete the Health Walk Questionnaire?**

A26. 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.

**Q27. We have several walks in different parts of the town. If a walker participates in more than one is it necessary for him/her to complete a Health Walk Questionnaire each time?**

A27. No. But the walker(s) concerned should be asked at the start of each walk whether they have developed any medical conditions since they last filled in a form. **(Please also see Q55.)**

**Q28. 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?**

A28. 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.

**Q29. Our leaders carry whistles to alert each other in the event of an incident. However, when it's a large group or very spread out they may not be able to hear the whistle and will not realise there is a problem until they return to base. Does this affect our insurance?**

A29. The insurer requires leaders to act responsibly and reasonably. In their opinion leaders should be within hearing range. If there is a big group where this is not possible then additional leaders are required.

**Q30. Our Leaders have done a Basic Expedition Leaders Award course. Do they still have to do the WHI training to be covered by insurance?**

A30. Yes, it is a condition of our free insurance cover that all Volunteer Walk Leaders should complete one of our training courses.

**Q31. Is there a maximum ratio of walkers to trained walk leaders?**

A31. 20:1 is the recommended maximum, but if conditions warrant it, i.e. adverse weather conditions or walking on highways (see Q11 for advice about walking on highways), there should be more walk leaders.

**Q32. If some of the walkers are children does this count towards the ratio?**

A32. All walkers are counted no matter what age they are, and children under 14 need to be accompanied by a parent/guardian.

**Q33. If there is a trained walk leader leading the walk, does it matter if the back leader isn't qualified?**

A33. If the rear person is not trained, then they are classed as a participant as only trained walk leaders are covered by the indemnity.

**Q34. Is it possible for adults with physical disabilities to join a health walk?**

A34. 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.

**Q35. What happens if a walk leader has ticked yes to one of the questions on the Health Walk Questionnaire?**

A35. 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.

**Q36. Some doctors charge for giving such clearance in writing and it may be that not everyone can afford to pay. What happens then?**

A36. 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.

**Q37. Does the insurance cover extend to walks on private land i.e. in a private wood?**

A37. Yes. The cover is not restricted to public highways or footpaths. However, the route should be assessed for suitability for the ability of the proposed walkers, just as it would be on public land.

**Q38. Are Volunteer Walk Leaders sufficiently covered to take on exercise referrals?**

A38. All exercise referrals and others with medical conditions should have confirmation from their own medical advisor that the exercise proposed is reasonable for them to undertake.

**Q39. Are Volunteer Walk Leaders undertaking tasks such as distributing promotional material covered?**

A39. No, they are only covered when leading walks.

**Q40. What would happen if an untrained walk leader was accompanied by a trained one on a walk and an accident/incident occurred due to the untrained volunteer's actions?**

A40. If the untrained walk leader was under training by the trained walk leader then the trained walk leader's insurance would apply. If, however, the untrained walk leader was only being accompanied by the trained walk leader the cover would not operate.

**Q41. Can Volunteer Walk Leaders over 75 years of age lead walks?**

A41. 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.

**Q42. How long do we have to keep walk registers for?**

A42. There is no requirement by the insurers for walk registers to be kept for any length of time - it is up to the scheme.

**Q43. How long do health walk questionnaires have to be kept for?**

A43. Health Walk Questionnaire which are clear should be kept for 6 months. Any HWQs with a stated medical condition on them should be kept for 3 years.

**Q44. If there is only one trained walk leader where should they be - front or back?**

A44. 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.

**Q45. Can walkers without walk leader training do the risk assessments of routes?**A45. No, it has to be a trained walk leader.

**Q46. Does an accident form need to be filled in if the accident is very minor? What happens if the injury becomes more serious later?**

A46. 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.

**Q47. How many claims have we received and how many have been upheld?**

A47. This is privileged information and as such cannot be disclosed.

**Q48. Would the insurance be invalidated if a walk leader sees someone across the road.**

A48. No it would not. However in these circumstances care should be taken to make sure the other members of the group are safe.

**Q49. How often should routes be risk assessed?**

A49. 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.

**Q50. Do Risk Assessment Forms have to be kept for a specific period of time?**

A50. Yes, they should be kept for 6 months after the route was last used unless there had been an incident in which case they should be kept for 3 years.

**Q51. As people can marry at 16, have children and work, is there any chance you could lower the insurance age for walk leaders to 16?**

A51. No. Although they may marry with permission and have children etc they cannot contract for insurance as they have to be of majority to be bound by the terms of the contract.

**Q52. Do walk leaders need to be police (CIB) checked?**

A52. Only if they are leading walks including children or vulnerable adults.

**Q53. What is the definition of a 'vulnerable adult'?**

A53. Briefly, Section 115 (4)(a) of the Police Act 1997 states that a vulnerable adult is anyone over the age of 18 who is incapable of protecting him/herself from assault or other physical abuse. Please click here to see a fuller definition <http://www.opsi.gov.uk/si/si2002/20020446.htm>

**Q54 Is Nordic walking covered by WHI insurance?**

A54. No. Nordic walking falls outside the criteria of the walking for health programme. It is classed as an exercise and should be insured as such.

**Q55. Some schemes would find the administrative burden of asking walkers to fill in Health Walk Questionnaires (HWQ) too much to cope with. Is this really necessary?**

**A55. As a result of concerns raised by several schemes, the broker has agreed to the following: (a) every walker should fill in a HWQ, (b) at the start of every walk, walkers should be asked if there have been any changes to their medical condition since their last questionnaire, and (c) any walkers who answer yes to this question, should be asked to fill in a new questionnaire.**

**Q56. A community group that runs a creche would like to take part in an organised walking event. The children will not be accompanied by their parents, but by creche workers. Would they be covered by insurance?**

A56. No. This policy is not designed for children under the age of 10. This is an activity which should be under the community group's insurance. The walk group should obtain 'Indemnity to Principal' under the community's group's insurance for this event if it is to take place.

**Q57. We have some groups that include mothers taking babies out in prams and pushchairs. Does this mean that they are not covered?**

A57. Children who are 'confined' (ie stay in a pram or pushchair) for the duration of the walk will be covered by insurance. Children who can walk at the pace of their parents/grandparents/guardians will also be covered; it is considered that children under 10 probably cannot walk at the pace of their guardians and so would **not** be covered.

**Q58. We are thinking of employing a sessional worker, would he/she be covered by WHI insurance?**

A58. No. Anyone who is paid to lead walks would not be covered by our insurance. Assuming that your employers are going to be paying this person's wages, you will need to discuss the issue of insurance with them.

**Q59. One of our walks takes us through part of the main high street. Some of the walkers leave the walk before the 'official' end to do some shopping etc and rejoin when they've finished shopping. Are walk leaders responsible for them if anything should happen when they've temporarily left the group?**

A59. No. Walk leaders are not responsible for any one who leaves the walk, and it should be made clear to the walkers that they will not be covered by insurance for the period of time they are away from the group.

**Q60. Is it possible for a person who has suffered some slight paralysis down one side and has no speech as a result of a stroke, but who can use hand signals to communicate with others, to be trained as a walk leader?**

A60. Under the Discrimination Act we cannot refuse anyone on the grounds of disability. However, because of the duty of care to the other walkers if this person is to be trained he/she must be able to carry out the safety requirements, whether using the warlike talkie or by some other means. He/she should not be allowed to lead walks, only be assistant.

**Q61. Is it ok for a walk leader to take their baby along either in a sling or pushchair when they are leading a walk?**

A61. Yes. But the walk leader concerned must make sure there is always another walk leader with her on the walk just in case she need to attend to her baby.