

HolidayPlay

Insurance for Holiday Play Schemes

Summary, Guide and Proposal



Arranged by

MM

MortonMichel

www.mortonmichel.com



HolidayPlay has been designed for play schemes which take place in the school holidays, including half-term breaks. It was first introduced over 30 years ago and is a well-known and respected policy relied upon by schemes throughout the country. It is a comprehensive policy to enable you to arrange a variety of activities and events.

There are three options for the period of cover, so you can choose which is right for you. It is aimed at schemes with children aged between 3 and 16 years, but a quote for a wider age range is available on request.

Depending upon the individual needs of your club, you can opt for either **HolidayPlay**, which provides the essentials of Public, Products and Employers' Liability insurance; or, if you are selecting a 12 month period, you may prefer the wider cover of **HolidayPlay Plus** which provides the liability insurances stated above and also covers your group equipment and group money. Both **HolidayPlay** and **HolidayPlay Plus** include Legal Expenses insurance and access to dedicated helplines.

Making the right choice

With **HolidayPlay** insurance you know you have the right level of cover supplied by a truly dependable insurance provider and because insurance is our business, we have the professional expertise to give you true peace of mind.

Morton Michel is the leading childcare insurance specialist. We pride ourselves on our speed and efficiency, with same day turnaround for processing most policies and a rapid response to claims. We believe our service is second to none. Together with Sterling Insurance Company Limited, we have designed and written this specialist **HolidayPlay** policy to match your specific needs, providing the right level of cover at a competitive price.

Value for money

HolidayPlay provides Public and Products Liability, Employers' Liability and Legal Expenses insurance, with premiums starting from £50 for 14 days cover, £100 for 6 weeks cover and £175 for 12 months cover.

The wider cover of **HolidayPlay Plus** (which also includes group equipment and group money cover) starts at £225 for 12 months cover.

Easy to understand documentation

This Summary and Guide is a clearly written, detailed summary of the main covers, extensions and exclusions of the HolidayPlay policy, so that you know what you will be covered for before you purchase your insurance. A full policy wording is available on request or you can contact our experienced holiday play scheme underwriters on 0845 257 0118 to discuss your insurance requirements further.

A full policy booklet, schedule and Employers' Liability certificate will be issued when you take out the cover.

Plus... The Morton Michel ChildCare Club

When you take out HolidayPlay insurance you will receive automatic free membership to the ChildCare Club offering you:

- *ChildCarer*, a free monthly childcare eNewsletter, written by a leading childcare journalist
- discounts on EYFS training CDs, childcare magazines and other childcare products
- a monthly prize draw
- a quarterly digital magazine, Creative Minds, packed with inspirational activity ideas for children.

Visit

www.mortonmichel.com/childcareclub for further information on these exciting benefits.



Policy Summary

The HolidayPlay policy is underwritten by Sterling Insurance Company Limited (except where otherwise stated).

This document summarises the cover provided by the HolidayPlay policy and should be read carefully before you complete the proposal form. The Policy Summary does not contain the full terms and conditions, which can be found in the policy document. A full policy document is available free of charge from Morton Michel.

HolidayPlay and HolidayPlay Plus Public and Products Liability

Limit of Indemnity £3,000,000

If your holiday play scheme is held legally responsible for an injury (including death) to a child or a third party, or for damage to a third party's property, or for defects in goods sold or supplied by you, then you will be required to pay damages. Public Liability insurance covers these damages and any resulting legal expenses, up to the limit of indemnity.

Automatically Included

- organised and supervised holiday play scheme outings (up to 3 consecutive days away included; longer stays away can be insured on payment of an additional premium)
- fund raising events of a non-sporting nature involving holiday play scheme officials, child members and their families. Other events and circumstances should be advised to Morton Michel for consideration
- visits to conventional purpose-built children's playgrounds, provided that the children are supervised in the correct adult:child ratio as set out by your local authority (but see 'e' in Main Exclusions)
- legal defence costs and expenses incurred with the written consent of Sterling
- food poisoning
- incorrectly administered first aid treatment
- administration of medicines and drugs in accordance with policy conditions
- administration/provision of oxygen, gastro feeding, naso-gastric tube feeding, cleaning and changing of feeding and tracheostomy /tracheotomy tubes and emptying/changing stoma bags in accordance with policy conditions

- accidental damage to the regular meeting place for which you are legally liable
- vicarious liability for the actions of employees without your knowledge or consent (e.g. abuse)
- children with special needs
- bouncy castles used by the group for the children attending the group (or other children in their family) in accordance with policy conditions
- use of trampolines, climbing frames and garden swimming pools in accordance with policy conditions
- legal costs and expenses incurred in defending a charge brought under The Corporate Manslaughter and Corporate Homicide Act 2007
- contingent motor liability - provides cover for the group if a motor accident occurs in connection with the group's business, for which the group is legally responsible and the car owner does not have the necessary cover in place. This does not replace or include ordinary motor insurance and it does not cover the motor vehicle or its contents. The group must take all reasonable precautions to ensure that any vehicle used has the appropriate motor insurance. (Morton Michel offers motor insurance schemes designed specifically to support childcare activities. To find out more details about this specialist cover for private cars, people carriers and mini buses, call 0800 975 4898.)

Territorial Limits

- anywhere in Great Britain, Northern Ireland, the Isle of Man or the Channel Islands.

Main Exclusions

- provision of advice or breach of professional duty
- sale or supply of medicines, drugs, syringes, dressings or medical supplies or equipment of any kind whatsoever

- c property belonging to your holiday play scheme or in its care, custody or control (other than the regular meeting place)
- d personal property of any staff, children and members attending the holiday play scheme
- e use of aerial runways, scrambling nets, tree walks and other structures which have been constructed or partially constructed from materials not originally intended for play or recreational use, eg: telegraph poles, tyres and drainage pipes; (please refer to Morton Michel if in any doubt)
- f liability arising out of asbestos and its derivatives
- g terrorism, war and similar risks
- h fines, penalties or liquidated, punitive or exemplary damages
- i treatment (other than first aid treatment, the administration of drugs/medicines in accordance with policy conditions and the administration/provision of oxygen, gastro feeding, naso-gastric tube feeding, cleaning and changing of feeding and tracheostomy/tracheotomy tubes and emptying/changing stoma bags in accordance with policy conditions)
- j inflatable play equipment other than bouncy castles used by the group for the children attending the group (or other children in their family)
- k activities not advised to and agreed in writing by Morton Michel.

Employers' Liability

Limit of Indemnity £10,000,000
(£5,000,000 if arising from terrorism)

If you are an employer, you are required by law to have Employers' Liability insurance. This covers you in case an employee suffers an accident at work for which you are held legally responsible. Employees include paid or unpaid supervisors, students, work experience students, trainees and volunteers.

Automatically Included

- legal costs incurred in the defence of criminal proceedings in respect of a breach of the Health and Safety at Work etc Act 1974 - limit £10,000 in any one period of insurance
- legal defence costs and expenses incurred with the written consent of Sterling
- legal costs and expenses incurred in defending a charge brought under The Corporate Manslaughter and Corporate Homicide Act 2007.

Territorial Limits

- Anywhere in Great Britain, Northern Ireland, the Isle of Man or the Channel Islands.

Legal Expenses

Limit £50,000 any one event

Cover, which is provided by DAS Legal Expenses Insurance Company Limited (DAS), will pay your legal costs including solicitors' and barristers' fees, court costs, expenses for expert witnesses, attendance expenses and accountants' fees.

Automatically Included

- employment disputes and compensation awards that might arise with your employees (such as unfair dismissal)
- legal defence in the event of a criminal prosecution arising from your business activity (such as alleged child abuse of the children attending your group)
- a legal representative to support you if you are asked to go to the police station for a matter relating to your business
- taxation disputes with HM Revenue and Customs
- contract disputes of over £250, if a parent breaks your contract terms
- recovery of a debt of over £250, if a parent fails to pay for your services
- legal action to obtain compensation or an injunction following damage to, or trespass on, your property
- legal action to obtain compensation for death or bodily injury
- loss of registration.

Main Exclusions

- costs and expenses incurred before the written acceptance of a claim by DAS
- any civil claim which does not offer a reasonable prospect of success.



Helplines - Available 24 hours a day, 365 days a year

You will have access to dedicated helplines, provided by DAS, that will give you professional advice and support at any time of day or night on issues relating to tax, legal matters, health/medical information and domestic emergencies as well as a counselling service.

Advice is given on

- **Tax:** including VAT, self-assessment income tax and Inland Revenue audits.
- **Legal Matters:** including employment and contract disputes.
- **Health and medical information:** including food allergies, medication, childhood illness, vaccinations, nutrition and exercise.

Help is provided through

- **Emergency repair support:** giving access to approved contractors for plumbing, electrical, gas and roofing repairs (you will be responsible for the cost of the repair).
- **Confidential counselling:** a valuable support service to help you through those difficult times, whether because of stress, anxiety, depression, relationships, bereavement or health related. It includes onwards referral to relevant voluntary and/or professional services, where appropriate.

HolidayPlay Plus

HolidayPlay Plus provides insurance cover for Public, Products and Employers' Liability and Legal Expenses plus Helplines as detailed on pages 4 to 6 inclusive, as well as the following additional cover:

Group Equipment

Sum insured £2,000 (more if required)

Equipment belonging to you or for which you are responsible is covered, whilst kept in holiday play scheme premises, against fire, lightning, explosion, aircraft, theft involving violent and forcible entry or exit, riot or civil commotion, malicious damage, earthquake, impact by vehicles, storm, flood, sudden escape of water or oil, or falling trees or branches.

Automatically Included

(subject to adequacy of sum insured)

- debris removal
- damage to the premises caused by theft involving forcible and violent entry provided you are responsible for the repair of such damage
- the contents of any timber or metal sheds at the premises up to
 - £500 in total in timber sheds
 - £1,000 in total in metal sheds
 - maximum £1,000 in total overall.

Main Exclusions

- the first £100 of each claim
- property not locked in a room, hall, cupboard or shed at the end of every holiday play scheme session
- loss or damage caused by other authorised users of the premises
- terrorism, war and similar risks.

Group Money

Covers loss of money whilst

- in transit or in a bank night safe - £2,000
- on the premises during business hours - £2,000

- in the home of any authorised group official - £1,000
- on the premises outside business hours in locked safe - £1,000
- on the premises outside business hours not in locked safe - £350

Main Exclusions

- the first £50 of each claim
- loss from any unattended vehicle
- money on the premises during business hours not contained in locked safe, locked desk or locked filing cabinet
- fraud or dishonesty of any group official unless discovered within seven working days
- shortages due to error or omission
- dishonoured cheques or use of counterfeit money.

Optional Section

Terrorism (Optional)

If you have taken out HolidayPlay Plus and require cover on your equipment against acts of terrorism, we are able to offer cover that will :

- cover most causes of terrorism damage including biological, chemical or radioactive contamination
- apply to all property insured under the Group Equipment Section of your HolidayPlay policy, up to the full value sum insured that you have selected.



Motor Insurance

If you carry children in your car, you must make sure that you have adequate motor insurance cover in place. Some insurers will charge an additional premium for this. Morton Michel's motor policy automatically allows you to use your car in connection with your childcare business at no extra cost. We believe that it is the only motor policy to specifically state on your certificate of insurance that you are covered for: "social, domestic, pleasure and business use in connection with childcare activities".

Morton Michel can also provide you with competitively priced minibus and MPV insurance for your holiday play scheme, which includes Full Business Use. This policy (called "KiddieBus") has a wide range of standard and optional features and has been designed to ensure that you get the cover that you feel is right for you.

For details of our competitively priced motor cover, please call freephone:

**0800 975 4898 or email
motor@mortonmichel.com**



Morton Michel - The Childcare Insurance Specialist

Founded in 1964, Morton Michel is a recognised leader in childcare insurance. It has unrivalled expertise in this field, which it applies to the development of its insurance products.

Morton Michel arranges cover for around 10,000 nurseries and pre-schools, 20,000 childminders and nannies, 6,000 out of school clubs and numerous other social and voluntary groups connected with childcare.

Morton Michel is dedicated to providing top quality service to all its clients. It does not use call centres so you will speak directly with a person involved in organising your insurance, who can discuss any aspect of the *HolidayPlay* policy. The company also provides prompt settlement of smaller claims on a direct basis.

Sterling Insurance Company Limited

Sterling Insurance Company Limited offers an extensive range of commercial and personal insurances.

Established over 50 years ago, Sterling is particularly renowned for its specialist policies, such as *HolidayPlay*, which meet the needs of specific businesses or services. The company prides itself on its efficient use of the latest technology in the administration of its policies and in the swift settlement of claims.

Sterling has worked closely with Morton Michel for over forty years and continues to do so today. Together, their extensive experience of the childcare industry enables them to develop policies that match the specific risks involved. This results in comprehensive cover at competitive premiums.

Frequently Asked Questions



What is Public Liability insurance and why is it so important?

Public Liability insurance covers you if someone in your care, or a member of the public, suffers an injury that is held by law to be your fault. An example would be if a visitor slipped on a wet floor, which had not been properly cleaned; or a child who was injured when an incorrectly erected trestle table fell on her foot. Such incidents can lead to claims being made against groups and you need Public Liability insurance to protect your interests against such lawsuits.

What is Employers' Liability insurance?

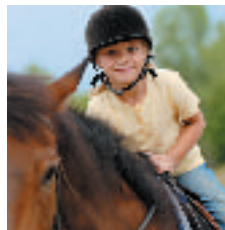
If you employ anyone you are required by law to take out Employers' Liability cover. It is similar to Public Liability insurance, but relates specifically to injuries suffered by your employees.

What activities are included?

Only those activities that have been advised to and agreed in writing by Morton Michel. There are questions on the proposal form asking what activities you offer.

Are we covered for using a bouncy castle?

Your legal liability is covered in respect of bouncy castles used by you for the children attending your group (or other children in their family), providing you adhere to the conditions stated in the policy. You are not covered for any damage you do to the bouncy castle or if you hire out the bouncy castle to anyone else. You are not automatically covered if the bouncy castle is to be used at a fete or "fun day" open to the public; in such circumstances, you should contact Morton Michel for a quotation. (Please note that the policy defines a bouncy castle as: "play equipment with a horizontal, inflatable base and inflatable sides designed and intended solely for children to bounce in or on and for no other recreational activity". An inflatable slide, for example, would NOT be covered.)



Do we have to register under the Childcare Act 2006 to take out the policy?

If your group is required to be registered under the terms of the Act, then you must obtain registration and adhere to its terms in order for the insurance to be valid. If your group is exempt from the Act, then you do not require registration to obtain the insurance cover. Please contact Ofsted or your registering authority to find out if you need to be registered.

Are voluntary workers covered under Public Liability or Employers' Liability?

Regular voluntary workers are regarded as employees for the purposes of the Public Liability and Employers' Liability insurances. Your legal liability for bodily injury to regular voluntary helpers is covered under the Employers' Liability Section.

Can we take on young people to help at the premises for work experience?

Yes, provided that they are on a Government or otherwise authorised work experience, training, study, exchange or similar scheme. They must always work under the supervision of experienced group officials and be of an appropriate age for the duties being performed. If in any doubt, please contact Morton Michel. If you are asked to sign a document from an authority concerning young people doing work experience, please let Morton Michel see this document.

Are we covered for giving medication?

The administration of non prescribed drugs or medicines, prescribed oral medication or asthma inhalers, and the administration of other medication is covered strictly in accordance with conditions stated in the policy. (See also the FAQ relating to children with special needs.)



Are we covered for going on outings?

As long as you comply with all relevant requirements of Ofsted or your registering authority regarding outings away from the normal premises, then you will be covered by the policy for organised and supervised outings within the UK for up to three consecutive days. For longer periods, please contact Morton Michel for a quotation. If you are taking children by car or minibus, you must ensure that the necessary motor insurance is in place.

What age group does this insurance cover us for?

Children between the ages of 3 and 16 are automatically covered under the policy. Wider age ranges can be considered, please contact Morton Michel.

Does the policy cover children with special needs?

Yes, the HolidayPlay policy covers your legal liability to any child with special needs in your care arising out of the activities of your group and in respect of any injuries they may sustain as a result of defects at your premises, for which you are held to be responsible. It also covers your legal liability for the administration/provision of first aid treatment, drugs/medicines, oxygen, gastro feeding, nasogastric tube feeding, cleaning and changing of feeding and tracheostomy/tracheotomy tubes and emptying/changing stoma bags, strictly in accordance with conditions stated in the policy. You must ensure that you are complying with all Ofsted or your registering authority requirements and that appropriate supervision ratios apply.

Is the group covered if it moves to a new premises?

Provided that the consent of Ofsted or your registering authority has been obtained, both temporary or permanent changes of address will be covered automatically by the policy. Please advise Morton Michel in writing of all changes of address. However, if your equipment is insured, a new proposal form may be required before you move and cover is subject to acceptance of this proposal by Morton Michel.

We are taking out HolidayPlay Plus. Does it cover sheds and contents of sheds?

Yes, within certain limits, providing it is either a timber or metal shed. Please refer to the Group Equipment section on pages 6 to 7 for details of cover. If the limits are insufficient for your needs or if you have a shed that is not timber or metal, please contact Morton Michel.

Are we covered for swimming?

Yes, provided you have given full details of this activity to Morton Michel and they have agreed cover in writing. Swimming activities must be under the leadership of experienced staff with additional competent helpers to assist when required. When swimming in private pools, a qualified lifesaver and/or swimming teacher must be in attendance at all times.

Are we covered for instructors coming to our premises to teach specialist activities such as judo, fencing, drama, etc?

You must provide full details of these activities when completing the proposal form. Your insurance will only cover any liability falling back on you and you must make sure that all instructors used are fully qualified and insured. Please check this with them before engaging them.

Customer Service Information

1. Sterling Insurance Company Limited

Sterling Insurance Company Limited is a private company limited by shares, registered in England and Wales number 498605. It underwrites general insurance business. It is authorised and regulated by the Financial Services Authority (FSA). The FSA is the independent watchdog that regulates financial services.

FSA Register number is 202012. You can check this on the FSA's Register by visiting the FSA's website

www.fsa.gov.uk/register or by contacting the FSA on 0845 606 1234.

Sterling Insurance Company Limited is a member of Sterling Insurance Group Limited.

Registered Office:

Ambassador House
Paradise Road
Richmond upon Thames
Surrey TW9 1SQ

Branch Office:

50 Kings Hill Avenue
Kings Hill
West Malling
Kent ME19 4JX

2. Disability Discrimination Act 1995

In accordance with the Disability Discrimination Act 1995 we are able to provide upon request a textphone facility, audio tapes, large print documentation and braille documentation. Please advise us if you require any of these services to be provided so that we can communicate in an appropriate manner.

3. Law applicable to the contract

We propose to choose English law as the law applicable to the contract unless we agree another choice of law with you prior to the start date.

4. Premiums

Premiums are payable annually to Morton Michel. Insurance premium tax, as imposed by current legislation, is incorporated into all premiums.

5. Promise of satisfaction and service

We are confident that your HolidayPlay policy will bring you complete satisfaction. We undertake to refund the premium in full if you are not satisfied with the cover provided by your policy if it is

returned within 14 days of issue, but if there has been an incident which has resulted or could result in a claim you must reimburse the Company for any amounts we have paid or may be required to pay, in respect of that incident.

6. Duration of contract

The first period of insurance under your HolidayPlay policy will be 12 months unless otherwise requested by you and agreed by the Company.

7. Financial Services Compensation Scheme

We are covered by the Financial Services Compensation Scheme (FSCS). You may be entitled to compensation from the scheme if we cannot meet our obligations. This depends on the type of business and the circumstances of the claim. Further information about compensation scheme arrangements is available from the FSCS, telephone number 0207 892 7300.

8. Notification of a claim

If you have a claim, or are aware of an incident that could result in a claim, please contact Morton Michel on 0845 257 0900 or Sterling Insurance Company Limited on 0845 271 1300.

9. Enquiries or complaints

If you have an **enquiry** or **complaint** regarding:

- the suitability of this policy for your needs; or
- the information and advice you received whilst it was originally being discussed; or
- the operation or administration of the policy

or an **enquiry** concerning a claim that you may have made; you should contact Morton Michel at Alhambra House, 9 St Michaels Road, Croydon CR9 3DD; telephone number 0845 257 0900.

If you have a **complaint** concerning a claim you have made you should contact Sterling Insurance Company Limited, 50 Kings Hill Avenue, Kings Hill, West Malling, Kent ME19 4JX; telephone number 0845 271 1300.

(A copy of Sterling's **complaints** handling procedure is available on request by writing to the Customer Services Manager, Sterling Insurance Company Limited, 50 Kings Hill Avenue, Kings Hill, West Malling, Kent ME19 4JX or by telephoning 0845 271 1300).

If your complaint relates to the Legal Expenses Cover, please write to The Customer Relations Department, DAS Legal Expenses Insurance Company Limited, DAS House, Quay Side, Temple Back, Bristol BS1 6NH or telephone 0117 934 0066 or email customerrelations@das.co.uk.

Details of the DAS internal complaint-handling procedures are available on request.

Please be ready to provide all relevant details of your policy and in particular your policy number (if allocated) to help your enquiry or complaint to be dealt with speedily.

If you are not satisfied with the way in which your complaint has been handled, you may have the right to refer it to the Financial Ombudsman Service at South Quay Plaza, 183 Marsh Wall, London E14 9SR; telephone number 0845 080 1800.

Please note that the Financial Ombudsman Service will normally only consider a complaint once we have issued a final decision letter. Nothing in the terms and conditions of this policy will reduce your statutory rights relating to faulty or mis-described goods or services. For further information about your statutory rights, you should contact your local authority Trading Standards Department or Citizen's Advice Bureau.

Following this procedure will not affect your legal rights.

10. Information about DAS Legal Expenses Insurance Company Limited

DAS Legal Expenses Insurance Company Limited is a private company limited by shares incorporated in England and Wales under registered number 103274. It underwrites legal expenses business. Its head and registered office is DAS House, Quay Side, Temple Back, Bristol, BS1 6NH. It is authorised and regulated by the Financial Services Authority and appears on the Financial Services Authority's register under number 202106. You can check this on the FSA's Register by visiting the FSA's Website.

11. Morton Michel

Morton Michel is authorised and regulated by the Financial Services Authority (FSA). FSA Register number is 308590. You can check this on the FSA's Register by visiting the FSA's Website.



www.mortonmichel.com

Arranged by



MortonMichel

Tel: 0845 2570900 Fax: 0845 2570547/0548 www.mortonmichel.com

Morton Michel Alhambra House 9 St Michaels Road Croydon CR9 3DD

www.mortonmichel.com

KH2637 05.09