

**I**nsurance is the kind of subject that makes people's eyes glaze over. But for professional nannies, it's an issue of vital importance. Take this scenario, for example: a nanny is sued because she brought a cup of hot coffee to the dining room table where the toddler in her care was sitting, and he reached out and pulled it over himself, sustaining bed scalding for which he needed hospital treatment.

It seems like a simple accident, doesn't it? But in fact, the nanny could be successfully sued because she made the coffee too hot, and even though she didn't deliberately leave it in the child's reach, she should have anticipated that this type of accident might happen, and prepared a cooler cup of coffee. Now, if the nanny in question had public liability insurance, any ensuing damages would have been paid by her insurance company.

This scenario isn't made up – it actually happened a few years ago, to a childminder. Something that most nannies don't know is that they have the same legal responsibilities as childminders. If this incident had happened to a nanny, then the legal case result could have been the same. It is a condition of all childminders' registration that they have public liability insurance, but, because nannies aren't registered, many of



accompany her to the police station if she is questioned on allegations of child abuse or neglect. There are many other circumstances that legal expenses also provides cover for.

A nanny's own liability insurance is the responsibility of the nanny, but nannies should also take an interest in whether their employer has adequate insurance as well. It's the law in this country that anybody who employs someone must display a certificate of employers' liability insurance in the

workplace. You might like to ask yours if they have employers' liability insurance – usually it forms part of a household policy, but it's worth checking. If you have an accident at your employer's house, and it's their fault – such as having a loose stair carpet they haven't told you about, and you

fall down the stairs and break your leg as a result, leaving you unable to work – then you could sue them. In such circumstances their insurance will take care of any damages. Do you use your employer's car? If you do, then again, your employer must make sure they've put adequate motor insurance cover in place.

Insurance is a vital necessity for any childcare professional today. By spending a few minutes sorting it out now, you could

Negligence could be as simple as a baby falling off a changing table, or a toddler choking on something they shouldn't have

save yourself a lot of unnecessary heartache further down the line.

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# Take cover

them simply aren't aware of how important insurance can be, and so don't take out any insurance cover.

Some nannies assume that because they are employed by the child's parents they cannot be sued for negligence. But this is not the case. Some nannies assume that because they don't have much money, there wouldn't be any point in someone suing them. But in law, a child can make a claim for damages up until the age of 21, which is clearly years after that child has left the nanny's care. By that time a nanny's financial circumstances might have changed dramatically.

Public liability insurance covers nannies for anything happening to children in their care for which they can be held legally liable. This is sometimes known as negligence, and the definition of negligence, in legal terms, is a culpable omission of a positive duty. In a nanny's role, it could be something as simple as the aforementioned case of a

**Insurance is an essential item for any nanny's portfolio because, says Samantha Beere, accidents do happen**

child being scalded by a hot drink left within reach, or it could be a baby wriggling and falling off a changing table, or a toddler choking on something they should not have had access to. If the nanny is considered to be negligent at the time the accident happened, she could find herself having to pay damages for any injuries sustained.

Public liability insurance isn't very hard or very costly to arrange. It only takes a few minutes and costs in the region of £50 per year. Once it's set up, it will give you the peace of mind of knowing that you have protection, and, in addition, it demonstrates to an employer that you take a professional approach to your work. If you can show a current public liability insurance schedule to

a prospective employer, they'll see that you take your work seriously.

You should check that any potential insurance policy is on a 'claims incurred' and not a 'claims made' basis. A 'claims incurred' policy will cover you for any claims incurred during the period of insurance, whether the claim is made then or not. A 'claims made' policy will only cover you for a claim that is made during the actual term of insurance – so if a child brings a claim against you some time well after the event, there's no cover in place.

A good insurance policy will also provide legal expenses cover. For example, at Morton Michel we offer a policy where the nanny can request a legal representative to