

## ACWA INSURANCE INFORMATION SHEET

The Australian Community Workers Association holds an **Association Liability** insurance policy which incorporates **Professional Indemnity Insurance** and a **Public and Products Liability Insurance** policy covering all qualified members.

### Professional Indemnity Insurance

#### What does Professional Indemnity Insurance provide cover for?

Professional indemnity insurance provides cover for acts, errors or omissions from your professional business. This type of cover originated from a professional person's duty of care at common law. Where you are offering advice and services within a particular profession and the third party suffers a loss arising out of that advice, you can be held liable for that loss.

#### What is the professional business described as under the policy?

In our circumstances professional business means the *provision of welfare and community services*

#### Who is insured under the policy?

The Australian Community Workers Association Inc. which includes its directors, permanent, part-time, temporary or casual employees, volunteers, trustees or committee members and qualified members, are insured under this policy.

#### Key policy exclusions

- Your own activities/alternative activities or professional services where you are not providing welfare and community services. Known claims and circumstances that have not been reported to the insurer during the policy period when the claim has occurred.
- Medical treatment based upon arising out of, resulting from or in consequence of any medical treatment, advice and/or services and/or scientific or medical research.
- Intentional damage arising from acts, errors or omissions by the insured with the intention of causing a third party loss, damage or injury, or with reckless disregard for the consequences.
- Bodily injury arising out of professional service advice is limited to \$500,000.
- Molestation, interference, mental abuse or physical abuse.

- Assumed duties or obligations under a contractual warranty, guarantee or undertaking unless such liability would have existed at common law.

### **Where does this policy operate?**

The territorial limits of the policy, i.e. the place where the act, error or omission can take place, is world-wide, however the court jurisdiction is limited to Australia and New Zealand.

### **What is a claims made policy? How does it differ from an occurrence policy?**

Uniquely, professional indemnity policies operate on a 'claims made and notified' basis. This means that the policy provides cover for claims made against you and notified to the insurer during the period of insurance, that is, the policy needs to be in place when the claim is first made against you and notified to the insurer during that period. The 'claims made' basis varies from 'losses occurring' policies such as Public & Products Liability insurance where the date of the incident determines the policy.

### **Professional Indemnity Insurance: Limit of Liability - \$20,000,000**

### **What is the excess for this policy?**

There is a \$2,000 excess for Professional Indemnity and this is to be paid by the member.

## **Public and Products Liability Insurance**

### **What does Public and Products Liability Insurance provide cover for?**

This type of insurance provides coverage for personal injury or property damage arising out of the professional description of the provision of welfare and community services by the Association and its members.

### **What does personal injury mean?**

Personal injury means:

- bodily injury, death, sickness, disease, disability, shock, fright, mental anguish or mental injury
- false arrest, false imprisonment, malicious prosecution and humiliation
- libel, slander, defamation of character
- wrongful entry or wrongful eviction or other invasion of the right of private occupancy
- assault and battery not committed by or at the direction of the insured unless committed for the purpose of preventing or eliminating danger to persons or property.



### **What does property damage mean?**

Property damage means:

- physical injury to or destruction or loss of tangible property which occurs during the Policy Period and any loss of use of that property resulting therefrom;
- loss of use of tangible property which has not been physically injured or destroyed or lost which is caused by physical injury to or destruction or loss of other tangible property

### **Who is insured under the policy?**

The Australian Community Workers Association Inc. and all qualified members of the Australian Community Workers Association Inc.

### **Where does this policy operate?**

The policy territorial limits are anywhere in Australia and an Australian court jurisdiction applies.

### **Key policy exclusions**

- Molestation
- Professional Indemnity as this is covered separately under the professional indemnity policy
- Employers Liability (Workers Compensation), this type of cover is provided for by a personal accident policy
- Libel and slander

### **Public and Products Liability Insurance: Limit of Liability - \$20,000,000**

#### **What is the excess for this policy?**

There is a \$2,500 excess for Public Liability and this is to be paid by the member.

**PLEASE NOTE:** This is a summary only, please refer to the policy schedule and wording for full terms and conditions of the policies arranged.

#### **Austbrokers Countrywide key contact details:**

For queries and claims please contact

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