

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 claims made against you by a third party arising from acts, errors or omissions in the provision of your professional services.

What are the Professional Services covered under the policy?

The Professional Services under the policy is described as the provision of welfare and community services.

Who is insured under the policy?

The Australian Community Workers Association Limited which includes "any natural person who was or now is or may hereafter become a director, secretary, executive officer, permanent, part-time, temporary or casual employee, members (excludes student members), volunteer, trustee or committee member of the Corporation by whatever name called and whether or not validly appointed to occupy or duly authorised to act in such position;".

Key policy exclusions

There is no cover under the policy for:

- Activities outside of welfare and community services.
- Known claims and circumstances that have not been reported to the insurer at the inception of the policy period.
- Claims 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.
- 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.

What are the geographical limits of the policy?

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?

Professional indemnity policies operate on a 'claims made and notified' basis. This means there must be a current policy in place at the time you first become aware of and notify a claim to your insurer.

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

- Bodily injury arising out of professional service advice is sub-limited to \$500,000.

What is the excess for this policy?

There is a \$2,000 excess for Professional Indemnity claims, 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 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 Limited and all members (excludes Student Members) of the Australian Community Workers Association Limited.

What are the geographical limits of the policy?

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
- Employment Liability (Workers Compensation), this type of cover is provided for by a personal accident policy
- Defamation

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.

\$ 25,000 Each and Every Occurrence in respect to injury to contractors, sub-contractors, employees of any contractors sub-contractors, labour hire personnel, worker to worker claims, workers' compensation recovery actions.

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

For queries and claims please contact:

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