

Kirk Session – Insurance Report – 4th March 2025

1. Unusual Activities

The following activities have been advised to COSIS since last meeting – no referrals made to COISIS.

Internal Unusual activities document – ongoing comment

The request to all elders in Working Groups continues when considering future plans. This is to keep in mind the need to raise any activities which fall outwith usual activities to Church Insurance Administrator for possible consideration by COSIS/Aviva. Where possible it is requested referrals are given in good time before cover is required. It is suggested that marketing of an activity is not carried out until insurance cover is confirmed to be in place.

2. Alterations to risk amendment

Nothing to report

3. Claims Notification

Nothing to report

4. Trustee Declaration amendments

Nothing to report

5. Third Party organisation use of premises – Public/Products Limit of indemnity

As advised at last meeting Josephine Sergeant has been in contact with all Third Party Hall users to request copies of their Public/Products Liability indemnity details. To comply with our Hall Letting Agreement this must be a minimum of £5 million. All let holders have at least £5 million, with the following updated exceptions –

1. Tae Kwon Do (Saturday) – still to provide details at time of writing
2. Colby Reid Musical Theatre – current limit - £1m – Let holder obtaining quotation to increase their limit to £5m. **Update from last meeting - Limit has now been increased to £5m**
3. Martin Carr Coaching - £10 million limit – due to nature of activities this hall use had to be referred to COSIS/Aviva for cover approval. An annual additional premium was required. Premium £280 and a requirement for Martin to have £10 million rather than the £5m limit which was already in place. The additional cost for our policy will be paid by Martin.
4. Scottish Country Dance group – have no insurance cover in place – this matters continues for consideration to provide solution to this matter.

Proposals

- a) Proposal approved at last meeting - we arrange for upstairs hall cupboard to be securely locked if this is possible. **This has not been advanced due to illness.**

6. Church Insurance Scheme renewal – 1st January 2025/Church Budget 2025 – update – new policy wording with effect from 28th August 2025

The new policy wording with effect from next renewal date is now available on the COSIS website. Some work will be required to look through the 140 page document to review changes. The policy wording is the legal contract between ourselves and Aviva Insurance Ltd.

From a quick read through the policy is 1) far clearer to read and understand b) contains new policy conditions for example Abuse Condition under Public/Products Liability cover which will need to be understood and complied with c) contains re-written conditions for example Duty care now references specifically “ongoing” and “satisfactory” and specifically fire preventions d) has a better wording for our usual activities which is easier to understand e) increased policy excesses.

Further work will be carried out over the months ahead with more to follow at future Session Meeting.

7. Duty of fair presentation – ongoing requirement

I think it would be appropriate for Trustees to note the Duty of fair presentation requirement which is an ongoing one under the policy. This is the reason things like change of use cross-referring to unusual activities require to be notified to COSIS/Aviva.

In connection with this amendment you must be sure that you have provided a ‘fair presentation’ of the risk’ to insurers. This means that you must have clearly disclosed every material circumstance which you, your Kirk Session or Congregational Board, or persons responsible for arranging your insurance, know or ought to know following a reasonable search that is relevant to this amendment. A material circumstance is one that may influence an insurer’s judgement over whether to take the risk and, if so, on what terms. If you are in any doubt as to whether a circumstance is material you are advised to disclose it.

If any of this information changes during the currency of your policy then you must immediately notify us, as failure to do so may entitle an insurer to impose different terms on your cover or reduce the amount of a claim payable. In some cases your cover could be invalidated, which would mean that a claim would not be paid.

8. Church Administrator role – review date – re-stated comment

It remains prudent for the Kirk Session to consider what would happen in terms of replacement, if a new person is required to fill Church Insurance Administrator position either at 30th June 2025 or beyond.

David McLaren – 4th March 2025