

Your Responsibility for People on Church Premises

A simple **guide** for PCC members



Introduction

Welcome to our short guide to things to consider related to people visiting your church. Your PCC has a legal duty of care to people on your premises (employees, volunteers and members of the public). So, it is important that churches are safe to visit and work in. If an accident happens resulting in injury to someone caused by a breach in Health and Safety regulations, this can have serious implications for the church community.

In this guide, we give you an overview of the responsibilities you face regarding Health and Safety with information about outside users of your premises and safeguarding.

For help, call our dedicated customer services team (please have your policy number available) on

0345 777 3322

(Monday to Friday 8am-6pm excluding bank holidays)

Email us at

churches@ecclesiastical.com

For more information and guidance, go online at

www.ecclesiastical.com/church



Find out more information on our website when you see this symbol



How do we keep people safe when they visit our church?

Your church is at the centre of the community and welcomes visitors for all sorts of reasons, not just services but also quiet prayers, coffee mornings, genealogy and an interest in the buildings. We would not want you to discourage visitors but rather to make sure they are safe while visiting church premises.

Your church is subject to Health and Safety legislation. However, many of the arrangements you need to make to ensure the health, safety and welfare of everyone using your church or church hall are really just common sense.

Do we need a Health and Safety policy?

Yes, you need an up-to-date Health and Safety policy to help fulfil your duty of care to your church members, volunteers and visitors. When setting up your policy you need to undertake regular risk assessments to assess the types of risks and the likelihood of them occurring, and make sure you have an accident book. Health and Safety should be on the agenda at your PCC meetings and your policy and risk assessments updated regularly.

It is important to monitor your Health and Safety procedures to take account of changing circumstances. This should be a continuing process but we recommend you go through a risk assessment and take any action necessary at least annually.

By downloading the self-assessment and risk assessment forms on our website, you can find out how safe the church and church hall are. If you answer 'no' to any of the questions, it guides you towards the actions you can take to reduce the risk of an accident happening.



For more information, see our website



What are the main Health and Safety issues we might face?

1. Slips, trips and falls

It is not just your congregation or visitors you need to consider; we often see claims involving employees and volunteers such as falling from a ladder while replacing a light bulb or tumbling down stairs while carrying church items. Many of these accidents could have been prevented by following simple guidance such as:

- fixing down the edges of carpets, rugs and doormats or using an edge strip
- sweeping up leaves and removing snow and ice on footpaths
- displaying warning signs where appropriate.

We have produced a handy checklist highlighting some of the most common hazards and suggesting measures to put in place which could reduce or eliminate the risk altogether.



Read more on our website

2. Graveyards and burial grounds

Regular inspections and risk assessments should be completed to help you ensure the ground is safe or identify areas for repair. Reduce the possibility of falls by:

- making sure the grass is cut around concealed kerbs and gravestones
- displaying signage requesting that visitors keep to the paths.

We have worked with 'Caring for God's Acre' to develop some common sense advice for graveyards and burial grounds.



Find out more on our website



3. Personal safety

Keeping yourself safe is really just common sense in vulnerable situations such as if you are alone in a church, maybe locking up after an event or service. We do not want to alarm your employees and volunteers so we have produced simple advice for them about what they can do to minimise risks to their own safety and that of others. This includes:

- trying not to be in a situation where you are alone in the church
- having a personal attack alarm handy and making sure people know what to do if they hear it
- ensuring your mobile phone is easily accessible and in good working order.



For more information, look at our Personal Safety Guidance



4. Working at height

Falling from height is a major cause of fatalities and severe injuries. Churches have a legal duty to provide protection for employees and volunteers under their control. The Health and Safety Executive consider it good practice to provide volunteers with the same level of protection as if they were employees. The sorts of controls you would need to introduce are:

- proper planning and organising of the work to take place
- ensuring the person carrying out the work is competent or supervised by a competent person
- provide suitable work equipment, ladders should be suitably placed and footed
- working at height should not be carried out where it is reasonably practicable to complete the work safely another way, only work at height if you have fully assessed the risk.

To help you identify some of the most common activities that require working at height and the control measures you can put in place to help minimise or eliminate the risk, take a look at our working at height checklist.



Read more on our website

What about when volunteers work on our premises?

There is cover for volunteers but you should take sensible precautions that they are not doing work of a hazardous or specialist nature. A risk assessment should be carried out for all proposed work for volunteers. If at this stage the work appears too onerous or hazardous for a volunteer, you should seek professional expertise.



Find out more about risk assessments here

What about volunteers using their own vehicles on church business?

The cover is not included in your church policy. Volunteers need to ensure their own motor insurance covers them for this use; most motor insurers automatically include this.



For more information visit the ABI website

What is liability insurance?

Liability insurance protects an individual, volunteer or organisation if they are held legally liable for personal injury or damage to property. Your policy includes both Employers' and Public liability cover.

Employers' liability insurance

This covers you if your PCC is legally liable to pay damages to an employee or volunteer who is injured whilst working on behalf of the church. We issue a new certificate at each renewal as you are required by law to either display it or hold it in an electronic form where you employ staff. Much of the work undertaken at your church may be by volunteers; we regard them as employees for the purpose of insurance and deal with any claims under Employers' liability insurance, provided they are authorised by the PCC.

Public liability insurance

This covers you if your PCC is legally liable for injury to a member of the general public or damage to their property. For example, if someone is injured whilst in your church or church hall, you may be held liable to pay damages to them, and any associated legal costs. There is no legal obligation for you to display or hold a copy of a certificate of Public liability insurance. Your policy schedule can be used as proof of cover if you need it.

How much cover do we need?

Known as the 'limit of liability' or 'limit of indemnity', this relates to the most we will pay under Public and Employers' liability cover for claims in respect of damages and legal costs (for Public liability, legal costs are payable in addition to the limit). The PCC is responsible for fixing the limit; however, for Public liability we recommend a minimum of £5m and for Employers' liability £10m.



Read the liability FAQs on our website

What is Personal accident cover?

This cover provides a range of financial benefits if an employee or volunteer is injured whilst engaged in church business whether the PCC is legally liable or not (some hazardous sports or activities are not included).

It is important to report accidents quickly. The benefits of the cover include medical expenses such as dental and surgical expenses, damage to clothing and personal effects and loss of travel and accommodation expenses if it is necessary to withdraw from a tour organised by the church because of accident or illness.

Do we need to have a Safeguarding policy?

Many churches will host children at services or in play and youth groups. In line with the policy of the Church of England, we want to make sure that PCC members and volunteers understand their obligations to keep children safe. In fact, any organisation that works with children and/or vulnerable adults must have a Safeguarding policy and undertake Disclosure and Barring Service (DBS) checks (previously CRB) on all eligible persons.

The PCC needs to ensure that it has adopted and applied the recommendations contained in the Church of England policies on Safeguarding. Your Diocesan Safeguarding Adviser will provide further guidance.

What cover is provided by the Church policy for incidents of abuse?

Your Public liability cover will indemnify the PCC if it's found to be legally liable for a bodily injury or illness to a person as result of abuse. There would be no cover for the perpetrator of an incident of abuse. It is important that you operate within the guidelines of the Church of England; failure to do so may prejudice your insurance in the event of a claim.

Is there any cover for church workers who may be accused of abuse?

Your legal expenses insurance provides cover for legal costs associated with defending criminal prosecutions.

DAS Legal Expenses Insurance manages these claims on our behalf and it is vitally important that they are notified immediately of any such incidents. Contact DAS on 0117 927 1863 for more information.



Read more about Safeguarding on our website

Does our policy cover outside groups that use our premises?

Churches and church halls are used for everything from concerts and keep fit classes to business meetings. These activities can help your church's involvement in the local community and generate a useful source of income.

- The Public liability section of your policy covers hirers for occasional private social events on not more than three occasions, per hirer, per year. This applies only where no other insurance cover is in force.
- There is no automatic cover under the church policy for outside organisations; however, most groups have their own Public liability cover and you should seek written confirmation from them that they have appropriate cover.

Should we ask outside users to confirm they have Safeguarding procedures in place?

In the first instance, refer to your Diocesan guidelines and/or Diocesan Adviser. It is good practice to get written confirmation from groups working with children and/or vulnerable adults that they have a Safeguarding policy and they undertake DBS checks.



Read more about outside users on our website



What about other Community Outreach projects?

If your church or church hall is going to be used for community outreach projects such as night shelters, foodbanks, parish nursing or a coffee shop, please refer to our document Community Outreach Made Simple for more information.



Read more about Community Outreach on our website

How to contact us

How do we make an insurance claim?

Please call **0345 603 8381** to speak to our claims team. You can also email **churchclaims@ecclesiastical.com** or visit our website to request or download a claim form.

For property claims, we'll need to know:

- your policy number
- what loss or damage has occurred
- when, how and where the loss or damage occurred
- your VAT status (if applicable)
- your bank details for settlement, if applicable.

If your claim involves theft, malicious damage or accidental loss, we'll also need to know:

- when you notified the police
- your crime reference number (where issued)
- details of the police station that's dealing with the incident.



www.ecclesiastical.com/churchclaims

Personal injury claims – What do we need to know?

Any organisation runs the risk of having a claim for personal injury brought against it. At Ecclesiastical, we can help you make sure your church is prepared for any claims, and that you know exactly what to do should it happen to you. Please do not wait for a claim to be made. If you are aware of a serious injury occurring for which you may be responsible, please tell us about it as soon as possible as there are strict time limits for handling these claims – as soon as someone makes a claim, it needs to be acknowledged within 24 hours. So please pass any claim on to us immediately.

If you need any help or advice, please contact our claims team on 0345 603 8381.



www.ecclesiastical.com/personal-injury

How do we make a claim for legal expenses?

The insurance is arranged by us in conjunction with DAS Legal Expenses Insurance Company Limited. You must contact the DAS Commercial Claims Department before taking any action. DAS can be contacted on

0117 927 1863



www.ecclesiastical.com/legalexpenses

For further information, call us on

0345 777 3322

(Monday to Friday 8am-6pm excluding bank holidays)
We may monitor or record calls to improve our service.

You can email us at

churches@ecclesiastical.com

Or visit

www.ecclesiastical.com/church

Other useful contacts

Ecclesiastical Financial Advisory

Services: **0800 107 0190**

www.ecclesiastical.com/getadvice

Ecclesiastical home insurance:

0800 917 3345

www.ecclesiastical.com/churchworker



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