

Insurance for Crawley u3a Trip Organisers

Purpose of this Document

I have been asked to clarify the responsibilities of organisers of u3a trips (whether Out and About, Seasonal, Theatre or any other) towards the safety of the members on the trips they organise, particularly on those trips during which members are free to go off by themselves, either individually or in small groups. I will also consider the requirements of the u3a Public Liability Insurance.

This will be done by listing key principles, recommendations for best practice, and illustrating these by using fictional scenarios. Inevitably, a judgement over whether somebody has been negligent can sometimes not be straightforward so it is important that where possible any actions you take are evidenced on paper (i.e. advice to trip members on protective clothing is written down, not just spoken). As you will see in the scenarios, sometimes whether an organiser has been negligent or not depends upon (i) Whether it was reasonable to expect them to be foresee a danger in the first place, and (ii) If they do come across an unexpected danger, whether or not they do what could be reasonably expected in the circumstances to alert the members to its existence.

To Note

- 1) Trip organisers should read the **Insurance Guidance** document on <https://crawley.u3asite.uk/general-admin/> which explains in some detail the u3a insurance arrangements and the role of risk assessments. I do not intend to repeat anything included within that here.
- 2) I deliberately refer to trip Organisers, rather than Group Leaders (GLs), as recognition that non-GLs run trips. It is the responsibility of GLs to ensure that any of the members organising trips has read this.

1. Key Principles around the u3a Insurance

- a) The u3a insurance policies are intended to protect the u3a and those who run individual groups and events (i.e. yourselves).
- b) The u3a insurance does not cover personal accidents where nobody else is at fault. If u3a members want to be protected against personal accidents they need to take out their own accident insurance (some household policies include this).
- c) The u3a is not automatically legally liable for all accidents, injuries or losses which could potentially occur during a u3a activity - a claimant needs to prove negligence on the part of the u3a or one of its members.
- d) Members are themselves responsible for ensuring that they are in adequate health and sufficiently fit to participate in an event.
- e) A member's accident could well be the result of negligence, but not on the part of the u3a (e.g. if somebody falls as a result of a cracked paving stone it is a result of the local authority's negligence, not that of the u3a).
- f) The u3a is not expected to take every precaution possible to avoid being judged as negligent, just those considered reasonable.

2. Recommended Best Practice

Organisers & Contact Details

1. Appoint a deputy for the trip, and make sure that the members know who it is. If problems do arise on the trip, then one of you can deal with the problem whilst the other continues overseeing the ongoing trip.
2. Show on paper the mobile phone numbers of both you and the deputy, and check that members have this with them on the day (ideally keyed into their own phones).
3. Both the organiser and the deputy should carry copies of the mobile phone numbers and emergency contact of the members.

Timings and Nature of Trip

4. Define the start and the end of the outing clearly. If the trip includes transportation then the start and end of the trip will be the actual time the coach sets off and returns (though you should always give an estimated time for the latter). Any incidents occurring outside this defined period are nothing to do with the u3a.
5. On some coach trips the driver may only be able to decide on the day itself the time and meeting place for the return journey back. In this case the organiser needs to ensure everybody is aware of this before they start leaving the coach.
6. Make clear in the original advert whether the trip is a “guided” one or whether members are expected to explore on their own (either singly or in small groups) - if there are aspects of both in a single trip make this clear.
7. It is good practice, where members are making their own way around an attraction or town, to issue them all with maps as they leave the coach, indicating the key attractions, the dropping off point (so they can orientate themselves) and the meeting place for the journey home.
8. If the trip is one in which members explore on their own, specify the area in which they should remain. Explain this is because any accident will be easier to deal with if taking place within this area. If visiting a town you describe this area in terms of the map you have given them. For a National Trust (NT) or other spacious attraction, suggest they keep within the attraction boundaries, unless it is in town, in which case specify the distance from the main NT entrance they should keep within.

Risk Assessments and Guidance on Risk Remediation

9. You should undertake a risk assessment in advance, covering any expected risks which are not obviously the responsibility of another body. These will generally be risks you cannot control (such as adverse weather) but for which the adverse impact can be reduced if members take adequate precautions (such as wearing suitable clothing). Where risks (e.g. getting lost on a walk) are under your control you are expected to take action yourself to minimise the risk (such as checking the route beforehand), as not to do so would be negligent.
10. Members must be notified in advance in writing of any remediation actions (e.g. bringing protective clothing) they can take to reduce the impact of any adverse risks. This helps the u3a to show there has been no negligence. There is no point in communicating to them risks whose impact they have no ability to reduce (such as the coach failing to turn up at the start). But if there is a risk the coach may be severely delayed on the journey, because

of a factor known in advance such as roadworks, you should warn them of this beforehand so they can bring along extra drinks and snacks to lessen any adverse impact.

11. Given that most of our reported incidents involve trips, it is best to always advise members to wear sensible footwear.
12. Draw members attention to any accessibility advice on the websites of the NT or other attraction.
13. If there are features of the trip, such as stairs or a lot of walking, which cannot be avoided, state this in the guidance so that members whose mobility is limited are aware and do not sign up for the trip.
14. You are advised against accepting any member whom you know to be suffering from either a physical or mental impairment (such that they might bring harm to themselves or others) UNLESS they bring a carer with them OR another trip member agrees in advance to act as carer for them on the trip. In either case you need to be satisfied that the carer is aware of both the nature of the trip and the scale of the members impairment.
15. Where a member signs up whom neither you nor your deputy, or anybody else you know, has met before, it is advisable to speak to them in advance by phone to ensure they are fully capable (this may requires some sensitivity).
16. Where new members to the group attend a non-guided trip by themselves, ensure they are not left alone without anybody to go around with, unless of course they prefer to be alone (this point is more about making new members feel welcome rather than to avoid any liability).

3. Use of Disclaimers

A general u3a liability disclaimer form exists –a copy is shown on page 8. As stated on the form, this has no legal standing as the u3a is liable for hurt or damage caused to members by negligence on the part of the u3a regardless.

But if O&A Group leaders think such a form would be useful in reminding members of their responsibilities (ensuring they are sufficiently fit, to follow guidance etc) then I can adapt it for our own use, and include it on the website.

4. Scenarios using a fictional trip for illustration

This is the information sent to members in advance once they have secured a place. Not all of it needs to be included in an advert – but any advert should include a broad outline of the trip, cost and cover any aspects (such as lots of steps, or a long walk) which some members might not be able to manage.

Out & About Group 9 Trip to Brighton Pier and i360 Tuesday 6th May 2025 12:00pm Please bring this with you on the day	
Organiser	Geraldine Worth Mobile 07924 250123
Deputy	Michael James.....Mobile 07788 230755
Timings	<ol style="list-style-type: none"> 1. You make your own way to the entrance of Brighton Pier and we meet outside the payment booths at the pier entrance at 12:00pm. 2. You will then have until 2:30pm to explore, on your own or in small groups, the pier and to have lunch (but see Discount on Lunch below) 3. At 2:30pm we regroup at the pier entrance and walk together along the promenade to the i360, where we have a booked a group ride for 3:30pm. The ride takes around 30 minutes. 4. We have pre-booked and pre-paid afternoon refreshments at the i360 café for between 4:00pm and 5.00pm, when the café closes. 5. At 5.00 pm the trip ends. You then make your own way back to Crawley, or make your own arrangements for further activities in Brighton.
Cost	<p>The cost of the trip is £23.00 per person. This includes entrance onto the pier (but NOT the cost of any of the pier attractions), the i360 ride and the afternoon refreshments at the i360.</p> <p>As the significant group discount we have arranged for the i360 ride is on the basis that we will have a group of at least 20 there is no reduction on cost for those electing not to take the i360 ride or who do not wish to consume the afternoon refreshments.</p> <p>Lunch is NOT included in the £23.00 and you are free to bring a packed lunch or eat at one of the venues on the pier (see Discount on Lunch below).</p>
Discount on Lunch	<p>We have negotiated a discount of 20% on menu prices at the La Deluge café on the pier [include link to menu] for orders made before 12:30pm. Those wishing to take advantage of this should follow Geraldine once we go onto the pier. La Deluge is under cover and well heated. You do not have to decide in advance whether you wish to take advantage of this option.</p>

Keeping Together	You are free to explore the pier on your own or in groups whilst we are there (12:00pm – 2:30pm) but from 2:30pm onwards we need to keep as a group. If you do become separated on our walk between the pier and the i360 you should contact Geraldine or Michael on their numbers above immediately. Members will be handed a map on the day showing the route between the pier and the i360. If you wish to leave the trip at any point before 5pm then you must inform Geraldine or Michael before leaving.
What you must bring	This document. Your mobile phone in case you get separated. Protective clothing as there may be rain and very cold winds, especially if you are contemplating going on any of the pier rides. Sturdy footwear – the pier may be slippery.
Pier Attractions	If you are tempted by the trampoline, dodgems, or any of the other attractions then do watch other people using them for a while to ensure that you are sufficiently fit not to come to any harm.
Contact Details	Geraldine and Michael will each have copies of all trip members' mobile phone numbers, plus the names and phone details of emergency contacts. Make sure your Beacon emergency contact information is up to date (if you are not sure contact the Membership Assistant via the web contact page).
First Aid	Geraldine will have the usual first aid kit with her. If anybody suffers an accident or feels ill they should let her know as soon as possible.
Last Minute Cancellation	If for any reason you cannot attend on the day please let Geraldine know by mobile phone as soon as possible.
Journey Delays to Brighton	You are recommended to build in a good margin when travelling to Brighton in case of delays or, if you are driving, experience difficulty finding parking. If you do experience an unavoidable delay on the journey, do contact Geraldine to inform her.

Scenario 1: Member goes missing

When the members meet at the pier entrance at 2:30, one member, Peter Masters, fails to appear. Geraldine tries his mobile, which rings, but there is no response. At 2:35 Geraldine has to move on towards the i360 with the rest of the party, but somebody – ideally Michael – should check whether or not Michael has come to any harm on the pier. He searches the whole pier, including the cafes and the gents toilets, but can find no sign of Peter. He keeps trying his phone but to no avail. He also checks with Geraldine by phone that Peter has not contacted her. After 45 minutes of fruitless searching Michael concludes Peter must have left the pier.

It is not feasible or reasonable to expect Michael to then search the whole of Brighton, but before abandoning the search he would be expected to take the following steps:

- (i) Contact the pier manager to inform them of the situation, giving them his mobile phone number so they can contact him should Peter appear, and to enquire as to the general procedure if it is thought somebody has fallen off the pier.

- (ii) Contact Peter's Emergency Contact to inform them of the situation, suggesting that if there is still no sign of Peter after 12 hours or so they contact the police.

Later it transpires that Peter, who had been walking around on his own, felt he had a migraine starting and decided to return home. He did not see anybody else from the group as he walked off the pier. He did not answer his phone when he heard it ringing as he believed that would have made his migraine worse.

Although one can sympathise with Peter's situation he did not follow Geraldine's instructions and caused needless anxiety and worry to others. You cannot be expected to include him on a trip again and should ensure someone on the Committee is made aware of the situation so that he can only attend another trip if another member keeps with him at all times.

Scenario 2: Members fall off pier

Two members, John Stafford and Ian Baker, wander up to the end of the pier. Some of the railing there has collapsed but despite this, they stand right at the edge of the pier to look down into the water below. A strong gust of wind blows them off into the sea.

Geraldine cannot be viewed as being negligent in failing to warn John and Ian about a railing collapse of which she was unaware, because it is the responsibility of the pier management to keep the pier safe and she could not have been expected to foresee this as a danger to bring to the attention of the members beforehand.

BUT if, whilst walking herself on the pier, she sees the railing has collapsed, she would be advised to notify the pier management, and, whilst waiting for the pier management to deal with the situation, to ensure a u3a member is posted a little further towards the entrance from the collapse, to warn any u3a members (and indeed any member of the public) not to proceed further. Having identified an unexpected risk she should alert members to it, if it is reasonably straightforward to do so.

Scenario 3: Member himself becomes dangerous.

A new member signs up for the trip, an Arthur Brown. You have not met Arthur previously, and know nothing about him. When you first meet him at the pier entrance, and chat with him, he appears pleasant and calm. Whilst having lunch, another member, Flora Atkins, accidentally knocks over Arthur's drink and his trousers become wet. Arthur reacts out of all proportion, and throws his neighbour's beer glass at Flora. Flora's face is badly cut to the extent she needs stitches. It later transpires, when talking to his Emergency Contact, that Arthur has "anger issues" and has a history of convictions for causing grievous bodily harm in social settings.

Geraldine would not be considered negligent as she had no way of knowing in advance Arthur's history, and nor can the u3a be expected to undertake DBS checks on every new member.

BUT if she had been aware in advance of Arthur's history, even if only by rumour, then at the very least she should have sought advice from the Trustees before accepting him onto the trip – and the Trustees should, if they are not to be seen as negligent, undertake a DBS check. If the rumour is confirmed then he will have to be excluded from the u3a (I would suggest the Trustees seek the Third Age Trust advice on how to do this).

Scenario 4: Food Danger

One member, Mary Elliot, subsequently becomes ill with food poisoning during the afternoon refreshments. She believes it is the result of the prawn sandwich she bought at La Deluge.

Whilst this is the result of the negligence of La Deluge, a clever lawyer who realises the u3a has more insurance cover than La Deluge could assert that Geraldine was negligent recommending this café as a place in which to lunch.

BUT it is reasonable for Geraldine to assume, given public health and food inspection regimes, that any café not adhering to hygiene regulations would not be allowed to operate though to be extra safe I would recommend Geraldine takes a look at the Trip Advisor and avoids any venues whose reviews indicate poor hygiene.

BUT if, when the party arrived at the café, it appeared to be dirty, with other obvious indications of poor hygiene such as insects crawling on the food displayed on the counters, staff handling food with bare and dirty hands, mouse droppings etc, then 20% discount notwithstanding, Geraldine should recommend to her group that they do not eat or drink there.

Margaret Lloyd, Crawley u3a Secretary, 6th May 2025

Attachment: Walking Group Disclaimer

u3a Walking Group

Walks disclaimer

Walking is one of the healthiest and safest of outdoor activities. However, neither Crediton u3a, nor the walk leader/organiser of the walk(s) has control of the environment of the walks, the weather, any animals, or indeed of any of the walkers themselves, and whilst taking normal precautions, providing reasonable help and assistance as necessary, they cannot accept responsibility for any circumstances affecting the health and safety of the walkers in the party.

Walks organised by u3a groups automatically receive public liability insurance cover, provided the leaders are u3a members, through the third age trust. This is designed to protect leaders against claims for damage to property and for injury or death which might have been occasioned on the walk. This is **NOT** a personal accident insurance and accordingly participants on walks are responsible for their own health and safety and the safekeeping of their equipment, clothing and belongings.

Participants on walks should follow the advice/instructions of the walk leader in order to minimise any risk to themselves, and should also ensure that they do not endanger any others in the party.

I have read, understood and accept the foregoing disclaimer.

Please print your name in block letters, then sign and date below.

NAME

SIGNATURE

DATE

Note from u3a walking advisor:-This walks disclaimer is not a legal document nor u3a policy but is included for those u3a group leaders who may wish to make their members aware of their own responsibilities.