



CLRG INTERNATIONAL WORKGROUP

INSURANCE INFORMATION BOOKLET FOR MEMBERS

**Produced by Group 5
Professional Development & Communications
June 2020**

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INTRODUCTION

As part of the International Workgroup established by An Coimisiún Le Rincí Gaelacha to consider various issues during the COVID-19 pandemic, Group 5 was set up and tasked with considering a range of issues pertaining to professional development and communications. At our first meeting on 16th May 2020, it was decided that the main areas for consideration and investigation by this group was insurance, waivers/disclaimers and professional development.

Within the context of insurance, it was immediately identified that there are three insurance issues poised as a result of COVID-19 namely online classes (majority of members use Zoom), outdoor classes and the return to indoor classes. Whilst it was acknowledged that each region was moving at a difference pace with regards to lockdown restrictions, it was agreed that the group would approach the issue of insurance as follows:-

1. To survey members in order to ascertain a current understanding of their insurance situation given COVID-19;
2. Investigate, in each region, what various insurance providers say in relation to online classes, outdoor classes and return to indoor classes; and
3. Correlate all data and findings in order to circulate to members so as to better inform them and ensure they are adequately covered during COVID-19.

Group 5 have worked diligently to ascertain the required data and information in order to provide to members and we are pleased to include our findings and recommendations herein. It should be stated, however, that:-

- A) This document is in no way a firm recommendation by An Coimisiún Le Rincí Gaelacha as to how members should or should not approach their insurance. This document is intended for information and guidance for members to consider and decide how they best wish to proceed;
- B) Members should be reminded that it is their responsibility to ensure the appropriate level of cover for classes whether that is online, outdoors or indoors; and
- C) As the situation surrounding COVID-19 develops over time and with different governmental and health/safety guidelines in each region, it is important that members note that the information provided herein may change over time. The information provided is correct at the date of circulation (June 2020).

Finally, it should be noted that despite tendering for information in all regions, we have not been able to attain information for certain regions. If any individual has information that would be useful to members regarding these regions we would ask that same is forwarded to the following email address so that we can formulate and distribute to members:-

pro@clrg.ie



LIST OF DEFINITIONS

To facilitate an easier understanding for members of all terminology used within this document, we have defined most terms stated herein which may appear unusual to members.

Term	Definition
Accident Compensation Corporation	Accident Compensation Corporation is a New Zealand Government body, engaged as the administrator of the country's accident compensation scheme, and provides personal injury cover for New Zealand citizens, residents and temporary visitors
Broker	A person or company registered as an adviser on matters of insurance and as an arranger of insurance cover with an insurer on behalf of a client.
Commercial General Liability	Commercial general liability is a type of insurance policy that provides coverage to a business for bodily injury, personal injury, and property damage caused by the business's operations, products, or injuries that occur on the business's premises
Disclaimer	A statement that denies something, especially responsibility.
Jurisdiction	The territory or sphere of activity over which the legal authority of a court or other institution extends
No Fault Scheme	No Fault Compensation claims are handled by Government run schemes that each have their own set of rules and regulations. The amount that is paid out, if the claim is successful, is usually less than you would normally get in a standard personal injury claim.
Property Coverage	Insurance that protects the physical property and equipment of a business against loss from theft,

	fire or other perils; all-risk coverage covers against all risks; named-peril coverage covers only against specific perils named in the policy.
Professional Indemnity	Professional indemnity insurance, often referred to as professional liability insurance or PI insurance, covers legal costs and expenses incurred in your defence, as well as any damages or costs that may be awarded, if you are alleged to have provided inadequate advice, services or designs that cause your client to suffer a loss.
Public Liability Insurance	Public liability insurance is designed for business owners to protect themselves against legal claims made against them. Public liability insurance covers the cost of claims made by members of the public for incidents that occur in connection with your business activities.
Premium	An amount to be paid for a contract of insurance.
Risk Assessment	A systematic process of evaluating the potential risks that may be involved in a projected activity or undertaking.
Statutory Liability	Statutory liability is a legal term meaning that someone can be held responsible for a specific action or omission because of a related law that is not open to interpretation.
Underwriter	A person or company that underwrites an insurance risk.
Wrongful Allegations	A claim or allegation of wrongdoing that is untrue and/or otherwise unsupported by facts. False accusations are also known as groundless accusations or unfounded accusations or false allegations or false claims.



CLRG ACTION GROUP

GROUP 5 – SUPPORT FOR TEACHERS AND COMMUNICATIONS/LEGAL/INSURANCE

PROPOSED QUESTIONS TO INSURANCE COMPANIES/BROKERS IN VARIOUS JURISDICTIONS

Objective: Provide resources to our members to better assist them in conducting a safe and effective business.

Questions relating to online classes

1. Does your company provide for public liability insurance to cover online/virtual classes?
2. If so, do you need either a) a new policy or b) an insertion into your current policy to cover this?
3. What exact cover does your policy provide you in relation to online classes?
4. Are there any stipulations and/or extra requirements from the insuree that would differ from their from a regular public liability insurance policy in relation to the provision for online classes? If so, please outline same.

Questions relating to outdoor classes

5. Does your company provide for public liability insurance to cover outdoor classes?
6. To cover outdoor classes, did you need either a) a new policy or b) an insertion into your current policy?
7. Please identify what level of cover can be provided for outdoor classes, if any, by your company/broker.

8. Specifically, what requirements and/or curtailments, if any, are imposed by the policy for outdoor classes? Namely, are there any conditions on the nature of the classes (surfaces, number of individuals at the classes etc)? Please identify any limitations of this cover.

Questions relating to return of indoor classes

9. If applicable to your jurisdiction, do you require a new policy to provide for the return of your classes to indoor status post COVID-19 or do you simply make an addendum to your current policy?
10. In terms of this cover, are there any stipulations and/or extra requirements on the part of the insuree for this cover such as:-
- the size or group allowed per class;
 - ages of dancers in your class;
 - requirement for social distancing;
 - regular cleaning of the premises
 - the wearing of face masks.

Please identify all requirements no matter how stringent.



IRELAND

The following insurance companies were surveyed in relation to the questions put by our group namely Guild, Alliance and Naas. Two Northern Irish companies were also surveyed, Hughes and Axa, who only insure teachers within the UK jurisdiction i.e., the six counties. Each response is laid out in full below.

INSURANCE PROVIDER: GUILD

Questions relating to online classes

- 1. Does your company provide for public liability insurance to cover online/virtual classes?**

The guild does not cover pupils taking part in online classes. We recommend that any Guild member doing online classes gives an email or verbal disclaimer that anyone taking part is doing so at their own risk. However, the Guilds insurance will cover any member of the Guild who is sued and will fight any case providing the disclaimers are evident.

- 2. If so, do you need either a) a new policy or b) an insertion into your current policy to cover this?**

N/A.

- 3. What exact cover does your policy provide you in relation to online classes?**

N/A.

- 4. Are there any stipulations and/or extra requirements from the insuree that would differ from their from a regular public liability insurance policy in relation to the provision for online classes? If so, please outline same.**

2,3,4 would not apply as there is no possible way of taking out a proper risk assessment of every one taking part.

Questions relating to outdoor classes

5. Does your company provide for public liability insurance to cover outdoor classes?

Guild insurance will cover any area where a risk assessment can be taken out with safety. it will cover outdoors areas.

6. To cover outdoor classes, did you need either a) a new policy or b) an insertion into your current policy?

Guild policy is standard.

7. Please identify what level of cover can be provided for outdoor classes, if any, by your company/broker.

Public liability cover is for 10 Million pounds sterling.

8. Specifically, what requirements and/or curtailments, if any, are imposed by the policy for outdoor classes? Namely, are there any conditions on the nature of the classes (surfaces, number of individuals at the classes etc)? Please identify any limitations of this cover.

The Guild would recommend that all areas are of safe substance e.g., level ground etc. no hazards and appropriate footwear for the form of dance being taught.

Questions relating to return of indoor classes

9. If applicable to your jurisdiction, do you require a new policy to provide for the return of your classes to indoor status post COVID-19 or do you simply make an addendum to your current policy?

At this time we are led to believe that no insurance companies have any written items on COVID-19 for dancing.

10. In terms of this cover, are there any stipulations and/or extra requirements on the part of the insuree for this cover such as:-

- the size or group allowed per class;
- ages of dancers in your class;
- requirement for social distancing;
- regular cleaning of the premises;
- the wearing of face masks.
-

Please identify all requirements no matter how stringent.

The guild is suggesting that each part of the UK and Southern Ireland await the Guidance of their local government for their release in guidelines. English dance schools will come under phase 3 here so July. We presume that social distancing will have to be in place so size of classes will be dependent on the size of the floor being used. I am sure that dance teachers will make their classes age relevant and the venues they use will be of safety standard...hand washing on arrival and exiting would I'm sure be compulsory. Wearing of face masks I would be inclined to leave that to the parents' choice.

INSURANCE PROVIDER: ALLIANCE

Questions relating to online classes

1. **Does your company provide for public liability insurance to cover online/virtual classes?**

Yes – appropriate level of public liability insurance can be provided for these.

2. **If so, do you need either a) a new policy or b) an insertion into your current policy to cover this?**

Current policy will suffice.

3. **What exact cover does your policy provide you in relation to online classes?**

General public liability insurance.

4. **Are there any stipulations and/or extra requirements from the insuree that would differ from their from a regular public liability insurance policy in relation to the provision for online classes? If so, please outline same.**

N/A.

Questions relating to outdoor classes

5. **Does your company provide for public liability insurance to cover outdoor classes?**

Yes – cover can be extended for these classes.

6. **To cover outdoor classes, did you need either a) a new policy or b) an insertion into your current policy?**

Current policy will suffice.

7. Please identify what level of cover can be provided for outdoor classes, if any, by your company/broker.

Please refer to your general public liability policy for this.

8. Specifically, what requirements and/or curtailments, if any, are imposed by the policy for outdoor classes? Namely, are there any conditions on the nature of the classes (surfaces, number of individuals at the classes etc)? Please identify any limitations of this cover.

N/A.

Questions relating to return of indoor classes

9. If applicable to your jurisdiction, do you require a new policy to provide for the return of your classes to indoor status post COVID-19 or do you simply make an addendum to your current policy?

Cover will be approved in line with the HSC and government guidelines.

10. In terms of this cover, are there any stipulations and/or extra requirements on the part of the insuree for this cover such as:-

- the size or group allowed per class;
- ages of dancers in your class;
- requirement for social distancing;
- regular cleaning of the premises
- the wearing of face masks.

Please identify all requirements no matter how stringent.

Please refer to the HSC and government guidelines.

INSURANCE PROVIDER: NAAS

Questions relating to online classes

1. Does your company provide for public liability insurance to cover online/virtual classes?

Yes.

2. **If so, do you need either a) a new policy or b) an insertion into your current policy to cover this?**

Extension of current policy

3. **What exact cover does your policy provide you in relation to online classes?**

Public Liability & Employers Liability

4. **Are there any stipulations and/or extra requirements from the insuree that would differ from their from a regular public liability insurance policy in relation to the provision for online classes? If so, please outline same.**

Consent form issued and collected from parents giving their permission for the student to participate. We don't need sight of these but must be made available should a claim arise. Common sense approach to online teaching with guidelines issued on the consent form also ie clutter free space, correct footwear, no trip hazards.

Questions relating to outdoor classes

5. **Does your company provide for public liability insurance to cover outdoor classes?**

Yes

6. **To cover outdoor classes, did you need either a) a new policy or b) an insertion into your current policy?**

Extension of existing policy.

7. **Please identify what level of cover can be provided for outdoor classes, if any, by your company/broker.**

€6.5m Indemnity under the public liability €13m Indemnity Employers Liability Public liability cover is for 10 Million pounds sterling.

8. **Specifically, what requirements and/or curtailments, if any, are imposed by the policy for outdoor classes? Namely, are there any conditions on the nature of the classes (surfaces, number of individuals at the classes etc)? Please identify any limitations of this cover.**

Please note insurers are recommending an age limit of 7 years plus where social distancing can be confidently carried out and maintained. For those children age 6 and under they are recommending teaching them on a one to one basis or continuing with zoom online teaching. The thinking behind this is a 7 year might understand better than a 4, 5, 6 year old instructions on no contact/touching and

social distancing or coughing etiquette. We would add that teaching in your back garden or car parks is specifically excluded under the policy and would suggest large green areas where you have permission to use the space. There should be no more than 4 students per group excluding the teacher. The 20km rule should be adhered to. Nobody should be travelling outside this to give a class and no student should be travelling more than 20km from their home to attend a class. For those teachers in N Ireland and UK insurers want you to adhere to the guidelines issued in Republic of Ireland and our policy is running in conjunction with the government road map.

Questions relating to return of indoor classes

- 9. If applicable to your jurisdiction, do you require a new policy to provide for the return of your classes to indoor status post COVID-19 or do you simply make an addendum to your current policy?**

At this time we are led to believe that no insurance companies have any written items on COVID-19 for dancing.

- 10. In terms of this cover, are there any stipulations and/or extra requirements on the part of the insuree for this cover such as:-**

- **the size or group allowed per class;**
- **ages of dancers in your class;**
- **requirement for social distancing;**
- **regular cleaning of the premises;**
- **the wearing of face masks.**

Please identify all requirements no matter how stringent.

We cannot at this stage comment on question 9,10 until we move nearer to phase 3. It will depend on public health advice and direction from government nearer the time. Underwriters are reviewing on a phase by phase basis and as such have agreed as you can see to accommodate you and facilitate you getting back to the new normal at no extra cost past back to you ,the policy holder.

INSURANCE COMPANY: HUGHES INSURANCE

**N.B. THIS PPOVIDER APPLIES TO THE SIX COUNTIES ONLY AND EXCLUDES
DONEGAL, CAVAN, MONAGHAN**

Questions relating to online classes?

- 1. Does your company provide for public liability insurance to cover online/virtual classes?**

Yes, cover will be extended to online classes.

- 2. If so, do you need either a) a new policy or b) an insertion into your current policy to cover this?**

A clause will be inserted into your current public liability policy to cover for online classes.

- 3. What exact cover does your policy provide you in relation to online classes?**

General public liability insurance but with a clause to cover the provision of online classes.

- 4. Are there any stipulations and/or extra requirements from the insuree that would differ from their from a regular public liability insurance policy in relation to the provision for online classes? If so, please outline same.**

General terms in relation to the upkeep and maintenance of the dance floor area by parents and onus on teacher to ensure this before starting classes.

Questions relating to outdoor classes

- 5. Does your company provide for public liability insurance to cover outdoor classes?**

Yes, cover can be extended to include dancing outdoors.

- 6. To cover outdoor classes, did you need either a) a new policy or b) an insertion into your current policy?**

An insertion of a clause into your current policy to state classes being administered outdoors.

- 7. Please identify what level of cover can be provided for outdoor classes, if any, by your company/broker.**

As above – a clause inserted into the public liability policy.

- 8. Specifically, what requirements and/or curtailments, if any, are imposed by the policy for outdoor classes? Namely, are there any conditions on the nature of the classes (surfaces, number of individuals at the classes etc)? Please identify any limitations of this cover.**

Requirement for the maintenance and upkeep of the dance area. To ensure the surfaces are smooth and even and that proper footwear is worn i.e., trainers.

Questions relating to return of indoor classes

9. If applicable to your jurisdiction, do you require a new policy to provide for the return of your classes to indoor status post COVID-19 or do you simply make an addendum to your current policy?

No decisions have been taken in relation to post lockdown restrictions. Underwriters have yet to confirm their position.

10. In terms of this cover, are there any stipulations and/or extra requirements on the part of the insuree for this cover such as:-

- the size or group allowed per class;
- ages of dancers in your class;
- requirement for social distancing;
- regular cleaning of the premises;
- the wearing of face masks.

Please identify all requirements no matter how stringent.

As above.

INSURANCE COMPANY: AXA INSURANCE NI
N.B. THIS PRPOVIDER APPLIES TO THE SIX COUNTIES ONLY AND EXCLUDES
DONEGAL, CAVAN, MONAGHAN

Questions relating to online classes

1. Does your company provide for public liability insurance to cover online/virtual classes?

Yes – public liability can be extended to cover online classes.

2. If so, do you need either a) a new policy or b) an insertion into your current policy to cover this?

No new policy required - Insertion into your current policy.

3. What exact cover does your policy provide you in relation to online classes?

A simple clause into your public liability policy to state that classes will provided by an online service. Can stipulate what service you are using i.e., Zoom.

- 4. Are there any stipulations and/or extra requirements from the insuree that would differ from their from a regular public liability insurance policy in relation to the provision for online classes? If so, please outline same.**

Nothing over and above the general upkeep and maintenance requirements pursuant to any public liability insurance policy.

Questions relating to outdoor classes

- 5. Does your company provide for public liability insurance to cover outdoor classes?**

Cover can be extended to include outdoor classes.

- 6. To cover outdoor classes, did you need either a) a new policy or b) an insertion into your current policy?**

A clause can be inserted into your current policy. No new policy required.

- 7. Please identify what level of cover can be provided for outdoor classes, if any, by your company/broker.**

As above.

- 8. Specifically, what requirements and/or curtailments, if any, are imposed by the policy for outdoor classes? Namely, are there any conditions on the nature of the classes (surfaces, number of individuals at the classes etc)? Please identify any limitations of this cover.**

Onus on provider to ensure safe area, flat surface, area for dancing maintained well and appropriate footwear worn.

****if using an outdoor area not owned by you, please ensure the owner has public liability to cover your use of this area****

Questions relating to return of indoor classes

- 9. If applicable to your jurisdiction, do you require a new policy to provide for the return of your classes to indoor status post COVID-19 or do you simply make an addendum to your current policy?**

No decision has been taken in relation to level of cover, cost of premium and requirements for insuree during this period.

- 10. In terms of this cover, are there any stipulations and/or extra requirements on the part of the insuree fort this cover such as:-**

- the size or group allowed per class;
- ages of dancers in your class;
- requirement for social distancing;
- regular cleaning of the premises;
- the wearing of face masks.

Please identify all requirements no matter how stringent.

As above.



ENGLAND

There are four regions in England namely the Midlands, North East, North West and Southern region. Each region is very different in their approaches to insurance and so each will be laid out individually below.

North West Region

Teachers in this region are insured on a group insurance basis i.e., teachers pay a lower premium to be covered on the one policy rather than each teacher having separate policies. The insurance company used is Ansvar. At present, the group insurance cover provides for online and outdoor classes. With regards a return to indoor class the current policy will suffice and cover this also with no amendments needed to the policy.

North East Region

Most teachers in this region are also insured on a group insurance basis with Ansvar with cover provided for online, outdoor and return to indoor classes.

Midlands

Teachers in this region are also insured on a group insurance basis with Ansvar with cover provided for online and outdoor classes. The position with regards return to indoor classes has to be clarified.

Southern Region

Teachers in this region are not insured on a group basis. Each teacher holds individual insurance. Online and outdoor classes are provided for and there has been no clarity as yet on a return to indoor classes.



SCOTLAND

The group has been advised that the insurance company most used by members in Scotland is GPTD. A few members use Cover4Dance, Insure4sport or AJG. We await confirmation of these companies' positions with regards online, outdoor and indoor classes. Once this information becomes available it will be shared with members immediately.



EUROPE

Information from this region has been requested from various countries within the EU however at present we have only been able to ascertain the position in Italy. Once further information becomes available to us with regards other EU countries we will endeavour so share with members forthwith.

INSURANCE COMPANY: A.C.S.I

Questions relating to online classes

1. **Does your company provide for public liability insurance to cover online/virtual classes?**

Yes this is provided for.

2. **If so, do you need either a) a new policy or b) an insertion into your current policy to cover this?**

A new policy is not required. It is just specified in the current policy that online classes are provided for.

3. **What exact cover does your policy provide you in relation to online classes?**

The same cover as if classes were indoors.

4. **Are there any stipulations and/or extra requirements from the insuree that would differ from their from a regular public liability insurance policy in relation to the provision for online classes? If so, please outline same.**

None specified.

Questions relating to outdoor classes

5. **Does your company provide for public liability insurance to cover outdoor classes?**

This has yet to be specified.

6. **To cover outdoor classes, did you need either a) a new policy or b) an insertion into your current policy?**

Again, this has yet to be specified.

7. **Please identify what level of cover can be provided for outdoor classes, if any, by your company/broker.**

N/A.

8. **Specifically, what requirements and/or curtailments, if any, are imposed by the policy for outdoor classes? Namely, are there any conditions on the nature of the classes (surfaces, number of individuals at the classes etc)? Please identify any limitations of this cover.**

N/A.

Questions relating to return of indoor classes

9. **If applicable to your jurisdiction, do you require a new policy to_ provide for the return of your classes to indoor status post COVID-19 or do you simply make an addendum to your current policy?**

An application will need to be made for specific and detailed protocol inside the current policy held.

10. **In terms of this cover, are there any stipulations and/or extra requirements on the part of the insuree fort this cover such as:-**

- **the size or group allowed per class;**
- **ages of dancers in your class;**
- **requirement for social distancing;**
- **regular cleaning of the premises;**
- **the wearing of face masks.**

Please identify all requirements no matter how stringent.

None identified as yet.



USA

The following insurance companies were surveyed in relation to the questions put by our group namely K & K Insurance, Anthony Insurance Services and Markel Insurance. Each response is laid out in full below.

INSURANCE COMPANY: K&K INSURANCE

Online & Outdoor Classes

This company provides general liability policies that DO include virtual classes and outdoor classes. No additional insurance or insurance rider is required.

Return to Indoor Classes

They suggested dance studios "follow guidelines" for cleaning and reopening, but neither had stipulations for returning to studios such as class size or requiring masks. Furthermore, a new policy was not required and you can simply use your current policy held with them.

INSURANCE COMPANY: ANTHONY INSURANCE SERVICES

Online & Outdoor Classes

This company provides general liability policies that DO include virtual classes and outdoor classes. No additional insurance or insurance rider is required.

Return to Indoor Classes

They suggested dance studios "follow guidelines" for cleaning and reopening, but neither had stipulations for returning to studios such as class size or requiring masks. Furthermore, a new policy was not required and you can simply use your current policy held with them.

INSURANCE COMPANY: MARKEL INSURANCE

Online & Outdoor Classes

Cover is provided by this insurance company for virtual and outdoor classes. They added that coverage to existing policies when the pandemic started. Professional liability policy also covers employees who are given a W-2 tax reporting form, but not independent contractors who would receive a 1099 tax form. The contractor or consultant may be a teacher doing a workshop and may need his/her own insurance. Coverage may depend on how directors pay their teachers. When working with children under 16 via virtual classes, teachers must get parental permission in writing. Children under 16 cannot be recorded. This insurance carrier will not cover any incidents where these factors are present.

Return to Indoor Classes

No decisions have been made by the company in relation to the return to indoor classes as yet. However it is prudent to have already a good level of public liability and/or professional liability before returning.



EASTERN CANADA

The following insurance companies were surveyed in relation to the questions put by our group namely Tanner Insurance and Arthur Gallagher Insurance Brokerage. Each response is laid out in full below.

INSURANCE COMPANY: TANNER INSURANCE

Questions relating to online classes

- 1. Does your company provide for public liability insurance to cover online/virtual classes?**

Tanner Insurance is a brokerage. We do have access to insurance companies who provide coverage for these operations. Individuals must be qualified separately.

- 2. If so, do you need either a) a new policy or b) an insertion into your current policy to cover this?**

This will depend on individual circumstances.

- 3. What exact cover does your policy provide you in relation to online classes?**

We would typically be able to secure coverage for: Commercial General Liability (provides coverage for bodily injury and property damage to third parties arising out of your operations) and Property coverage (physical damage coverage for business contents, equipment, tenant fit-ups.)

- 4. Are there any stipulations and/or extra requirements from the insuree that would differ from their from a regular public liability insurance policy in relation to the provision for online classes? If so, please outline same.**

Not in general.

Questions relating to outdoor classes

5. Does your company provide for public liability insurance to cover outdoor classes?

We would be able to offer with eligibility determined case-by-case.

6. To cover outdoor classes, did you need either a) a new policy or b) an insertion into your current policy?

This will depend on individual circumstances.

7. Please identify what level of cover can be provided for outdoor classes, if any, by your company/broker.

We typically recommend not less than \$2,000,000 Commercial General Liability, however it is likely we could secure higher limits if required. I have no concerns with securing appropriate limits of coverage for property insurance.

8. Specifically, what requirements and/or curtailments, if any, are imposed by the policy for outdoor classes? Namely, are there any conditions on the nature of the classes (surfaces, number of individuals at the classes etc)? Please identify any limitations of this cover.

This will vary. I expect that ground inspections would be required in most cases.

Questions relating to return of indoor classes

9. If applicable to your jurisdiction, do you require a new policy to provide for the return of your classes to indoor status post COVID-19 or do you simply make an addendum to your current policy?

This will depend on what insurance company the school is insured with but if they were able to amend operations to include online, there should be no issue amending them back to physical locations.

10. In terms of this cover, are there any stipulations and/or extra requirements on the part of the insuree for this cover such as:-

- the size or group allowed per class;
- ages of dancers in your class;
- requirement for social distancing;
- regular cleaning of the premises;
- the wearing of face masks.

Please identify all requirements no matter how stringent.

Re: Size of class/Age of dancers – Will qualify on case-by-case basis. Size of class may be limited based on age for example, and these limits may change depending on the teachers own experience and studio size/set-up.

Re: Health & Safety measures – There are not currently any requirements relating to specific health & safety measures, however the wordings of a liability policy often include stipulations that you do what a reasonable and prudent person would do to protect your clients/students. In addition, most standard insurance policies exclude coverage for “Expected or Intended Injury or Damage.”

INSURANCE COMPANY: ARTHUR INSURANCE BROKERAGE

Questions relating to online classes

- 1. Does your company provide for public liability insurance to cover online/virtual dance classes?**

Yes

- 2. If so, do you need either a) a new policy or b) an insertion into your current policy to cover this?**

Current policy.

- 3. What exact cover does your policy provide you in relation to online classes?**

Commercial General Liability insurance is triggered by claims stemming from third-party bodily injury/property damage claims, which would be covered under this policy. Standard exclusions include things such as Abuse/Sexual Molestation, Pollution, Cyber Liability, etc. and these can be purchased as separate coverages.

- 4. Are there any stipulations and/or extra requirements from the insured that would differ from their from a regular public liability insurance policy in relation to the provision for online classes? If so, please outline same.**

Online classes open up the potential for worldwide territory exposure so the insurer would still want to know if the participants would be in Canada only, or in the US or foreign territories. Other than opening up to the worldwide territory potential and potential restrictions, there is no additional information required other than the number of classes, ages and number of participants that is generally asked. Further, no trampolines, or serving of alcohol, etc.

Questions relating to outdoor classes

5. Would your company provide for public liability insurance to cover outdoor dance classes?

It's available depending on where, number of participants to teacher ratio, ages of participants, etc. Exercise in a park is pretty easy to obtain whereas open water dance instruction/exercise may be more challenging

6. To cover outdoor dance classes, can this be added on to current policy later if not already included?

Yes.

7. What are the limitations of outdoor class coverage?

This is difficult to answer as each policy may be different. Generally, waivers are required for all participants (parents to sign if minors) and classes need to have a reasonable adult instructor to participant ratio, especially if they are children.

Questions relating to return of indoor classes

8. Can Insureds return to their indoor classes sessions post COVID-19 without notifying the insurer they're switching from online classes?

Yes, this insurer is flexible to interchange between both as needed.

9. In terms of overall coverage, are there any stipulations and/or extra requirements on the part of the insured for this cover such as

the size or group allowed per class; there are probably caps with respect to instructor to participant ratios but we've not run into this limitation yet

ages of dancers in your class; under 6 years old needs underwriter approval, parents likely need to stay

requirement for social distancing; since this is all so new, there are not really parameters put in place (yet) by many insurers – we are instructing clients to follow the provincial/federally suggested guidelines with respect to social distancing, hand-washing, etc.

regular cleaning of the premises; no set rules in place but our suggestion is to follow provincial/federally suggested guidelines

the wearing of face masks; no set rules in place but our suggestion is to follow provincial/federally suggested guidelines.



WESTERN CANADA

Information has been requested from three insurance companies in Western Canada. We have not yet received a response from these companies. We will endeavour to share this information with members forthwith once same is available.



AUSTRALIA

The following companies were questioned in relation to their insurance positions namely AON in New South Wales (“NSW”), Chubb Insurance in NSW, Danceurance in Queensland (QLD”). They did not provide specific responses to the questions set out at pages 9-10 herein and their more generic responses are as follows:-

AON – NSW

Online & Outdoor classes

They insist on an insertion into the current policy for online and outdoor classes. For online classes, the cover is the same as original policy – public liability 20 million, professional indemnity 10 million, wrongful allegations 500 000 etc. There are no stipulations, just the recommendation of an adequate/safe dance space.

Return of indoor classes

For return of classes, no policy needed. There are no stipulations in regard to return of indoor classes as of yet. As yet, there is no premium increase

Dancesurance – QLD

Online & Outdoor classes

Neither a new policy nor insertion into current policy required for online classes. The policy provides the same cover as usual for online classes. There are no stipulations as such but all were sent recommendations of online learning such as:

- Record the lesson and hold for 36 months
- Instruct activities only that you are qualified to do so

- Advise that participants do so at own risk
- Avoid activities if participants have health concerns, injuries, aches and pains

Return of indoor classes

No requirement of policy for return of indoor classes as current policy covers any school activity and classes. This cover does not have addition requirements. There must be adherence to government advice in order to classes. No premium increased – the company offered an extended payment plan to assist with any financial hardship caused by COVID-19.

Chubb Insurance Ausdance – NSW

Online & Outdoor classes

Their policy covers online classes. Online classes have the same cover as face to face. No further stipulations are a requirement of the insurance company. Again, cover included outdoor classes. Same cover for outdoor classes as indoor classes. Requirements for outdoor classes are only to guarantee that surfaces are safe and appropriate footwear is used.

Return of indoor classes

No stipulations required for the return of indoor classes but social distancing, regular cleaning, availability of hand wash and sanitizer are the policy of the school. Premium increase hasn't changed.



NEW ZEALAND

The position in relation to insurance in New Zealand (“NZ”) has been laid out by Ms Paula Doyle, President of NZ. She confirms as follows:-

Online & Outdoor Classes

Nothing needed for online classes – currently has public liability, broad form and statutory liability. Accident Compensation Corporation – government and everyone in New Zealand is covered by ACC. They are also covered by the No Fault Scheme – includes visitors to New Zealand for injuries in an accident. Each business pays yearly fees to provide cover for themselves and any employees if an injury occurs and dancer if injured at home covered by ACC. There was no increase for coverage during pandemic but anticipate increase in future. Therefore, there is nothing necessary for online classes.

Return to indoor classes

There is no new policy required for return of classes indoor. There will be no price increase for same.



SOUTH AFRICA

The position in South Africa is quite unique compared to other jurisdictions. In this region, teachers are usually covered by a blanket public liability policy. Each year, teachers are required to submit details of their teaching venues where they hold classes. Public liability will cover for these venues only. However, with regards to COVID-19, there has been no comment as yet with regards to any extra requirements on teachers by the insurance company with regards to indoor classes albeit they are a long way of returning to indoor classes. Teachers in this region are *not* covered for online or outdoor classes.



ASIA

Information from this region has been requested but we have yet to receive a response from the insurance companies used by teachers here. This information will be forwarded on separately once the working group have same to hand.



RUSSIA

The position in this region is unique and we were unable to put our questions as set out at pages 9-10 herein. From the more general information gathered from members in this region, we have been informed that public liability insurance is not required in order to conduct classes online, outdoor or indoor. This is applicable to the COVID-19 situation also. It has been proffered to the working group that the onus rests on the dancers to have their own medical insurance in order to take these classes.



SOUTH AMERICA

Information from this region has been requested but we have yet to receive a response from the insurance companies used by teachers here. This information will be forwarded on separately once the working group have same to hand.



MIDDLE EAST

We have tendered for information from this region and we have received a response from a member in Qatar. The information has been provided on the basis it relates specifically to the members dance class.

INSURANCE COMPANY: AIG MEA LIMITED

Questions relating to online classes

- 1. Does your company provide for public liability insurance to cover online/virtual classes?**

Yes cover is provided.

- 2. If so, do you need either a) a new policy or b) an insertion into your current policy to cover this?**

Current policy is adequate.

- 3. What exact cover does your policy provide you in relation to online classes?**

General public liability insurance.

- 4. Are there any stipulations and/or extra requirements from the insuree that would differ from their from a regular public liability insurance policy in relation to the provision for online classes? If so, please outline same.**

Written permission by the parents required also.

Questions relating to outdoor classes

- 5. Does your company provide for public liability insurance to cover outdoor classes?**

No cover is provided for this.

6. To cover outdoor classes, did you need either a) a new policy or b) an insertion into your current policy?

N/a.

7. Please identify what level of cover can be provided for outdoor classes, if any, by your company/broker.

N/A.

8. Specifically, what requirements and/or curtailments, if any, are imposed by the policy for outdoor classes? Namely, are there any conditions on the nature of the classes (surfaces, number of individuals at the classes etc)? Please identify any limitations of this cover.

N/A.

Questions relating to return of indoor classes

9. If applicable to your jurisdiction, do you require a new policy to provide for the return of your classes to indoor status post COVID-19 or do you simply make an addendum to your current policy?

No new policy required however there has to be close adherence to governmental guidelines for COVID-19.

10. In terms of this cover, are there any stipulations and/or extra requirements on the part of the insured for this cover such as:-

- the size or group allowed per class;
- ages of dancers in your class;
- requirement for social distancing;
- regular cleaning of the premises
- the wearing of face masks.

Please identify all requirements no matter how stringent.

1.5 metre social distance required. There has to be a disinfection of the dance area before and after classes. Face masks to be worn at all times but not when exercising when social distancing is enforced.



RECOMMENDATIONS

The purpose of this booklet is to equip members with a better understanding of the issues faced with regards insurance particularly at a time when situations are constantly evolving. Each region has different challenges at different times and so as a group we felt it pertinent to make some recommendations which will assist members moving forward. **Please be reminded that these are not recommendations by An Coimisiún Le Rincí Gaelacha and merely serve as a guide to members to suit their individual business needs.**

Immediate recommendations

1. If relatable to your region, contact your insurance provider to confirm that your current public liability policy has been amended to state that you are providing classes via:-
 - i. Online (Zoom, Skype etc);
 - ii. Outdoors; or
 - iii. That you have returned to indoor classes.

2. Be aware of the potential for increased risk management for each of the classes above – upkeep and maintenance of the dance floor areas in your dancers property, if outdoors the area is maintained, that there is no slip/hazards etc., and if you have returned to indoor classes ensure cleaning and requirements by your company have been strictly adhered to.

3. Provide your parents with a relevant disclaimer for online, outdoors and return to indoor classes to sign. **Sample disclaimers to cover these situations can be found at pages 44-51 of this document.**

Wider recommendations

Our wider recommendations focus on those regions whereby public liability insurance is required for classes. Many regions, most commonly found in England, have implemented a group insurance policy for their members. A group insurance policy means that all members in that particular region sign up to a one size fits all group policy for each member. During COVID-19, the group policies in the various regions where implemented have covered online and outdoor classes.

Moving forward, it is a recommendation from the working group that each region moves to consider the possibility of members signing up to a group insurance policy. There are multiple benefits such as:-

- i. Premiums are significantly reduced for members.
- ii. Members are insured on the same terms.
- iii. During a global pandemic, such as COVID-19, members under group policies can seek to establish a status quo for alternative classes such as Zoom, outdoor etc., and collectively push for immediate cover for this.

Firstly, it is recommended that members liaise directly with Regional Councils to ascertain if members would be keen to enter into such an arrangement. If so, the terms and conditions of any group policy would need to cover all arrangements for each dance school covered therein.

Feisanna

Some regions are in the fortunate position to be preparing for the return of feisanna. For those who are preparing for this, it is important to consult with your insurance provider to

ascertain firstly if public liability insurance (if specific to your region) will cover you for large gatherings. Furthermore, if so it is important to establish if there are any requirements on your part, insurance wise, for running this event i.e., risk assessments or are there any limitations imposed on your insurance as a result of COVID-19 for running such events. Be sure to have the correct level of cover in place to suit your specific event. Do not leave anything to chance.



CHECKLIST FOR MEMBERS

As a group we have established a thorough checklist for members to consider when liaising with their insurance company/broker. We have also included some guidance around ensuring that you are fully appraised of your regions laws/regulations surrounding COVID-19 and guidance on maintaining a safe working environment for you and your dancers. This is crucially important; If you are subjected to a claim and/or enquiry by your insurance company surrounding COVID-19 it is prudent to keep a clear record of your upkeep and maintenance records as they may be asked for. Items to consider are as follows:-

1. DOCUMENT ALL COMMUNICATIONS WITH YOUR INSURANCE COMPANY

- Keep records of all communications with your insurance provider regarding your cover whether it be online, outdoors, return to indoors or if you are preparing for a feis.
- Ask your provider to make all document requests in writing.
- Keep a detailed list of all documents provided to the provider by either you or your broker (ensure broker is including a company representative on all communications with carriers).
- Ensure that you ascertain the appropriate level of cover to suit your class and if you are running an event, a feis for example, be sure to have the appropriate level of cover for large gatherings and take note of any requirements on your part (risk assessments) or restrictions per the terms of your insurance policy.

2. DOCUMENT ALL FEDERAL, STATE, AND LOCAL COVID-19 REGULATIONS AND ORDINANCES THAT AFFECT YOUR COMPANY OR COMPANIES WITHIN TWENTY MILES OF YOUR LOCATION

- Keep a file with all laws, regulations and/or ordinances.
- Document all communications with government officials.
- Keep all notices or news of confirmed exposures near your locations.

3. DOCUMENT ALL CLEANING, DISINFECTING, AND DECONTAMINATION EFFORTS WHETHER THIS BE AT YOUR STUDIO OR IN A RENTED HALL

- Time and location.
- Names and titles of all staff conducting the cleaning, disinfecting, and decontamination.
- List of chemicals and cleaners used.
- All receipts and time records.

4. DOCUMENT ALL EFFORTS TO COMPLY WITH YOUR LOCAL SOCIAL DISTANCING REQUIREMENTS AND/OR ANY OTHER CONDITIONS REQUIRED BY YOUR INSURANCE PROVIDER

- Using floor markings to separate dancers.
- Limiting the use of shared facilities (locker rooms, sitting area, etc.)
- Limiting class sizes.
- The wearing of masks by students/staff.
- For outdoor classes, a ground check to ensure safety of the space.



INFORMATION & CONSENT FORM

ONLINE IRISH DANCE LESSONS

Name of School: _____

INFORMATION

During these challenging times we hope to set up online platforms for the delivery of Irish Dance classes. These classes will enable our dancers to continue to learn, grown and enjoy the art of Irish Dance. It was also enable our dancing community to continue to live and develop during these times.

In order for these classes to run, we require consent form whereby you acknowledge that you are agreeable to your child attending these classes.

Failure to return this form will result in your child not being covered by the class insurance policy in the event of accident/injury.

KEY POINTS TO REMEMBER

- Please ensure that your child dances on a suitable surface in an area that is clutter free.
- All cables/wires should be secured and put out of sight.
- Appropriate footwear must be worn, as one would at normal class.
- Children should warm up and cool down as at regular classes. Please ask for teacher guidance on this if you are not sure with regards the appropriate exercises for same.

- We will issue technical instruction but as always the health and safety of our dancers is our primary consideration and if you have any concerns, please contact us.

CONSENT

Please fill in below consent form and return to us at your earliest convenience.

I, _____, parent/guardian of _____,
hereby consent to my child undertaking Irish Dance classes online and agree to abide by the
health and safety precautions as outlined above.

Date: _____

Signed: _____



INFORMATION & CONSENT FORM

OUTDOOR IRISH DANCE LESSONS

Name of School: _____

INFORMATION

During these challenging times we hope to set up outdoor platforms for the delivery of Irish Dance classes. These classes will enable our dancers to continue to learn, grown and enjoy the art of Irish Dance. It was also enable our dancing community to continue to live and develop during these times.

In order for these classes to run, we require consent form whereby you acknowledge that you are agreeable to your child attending these classes.

Failure to return this form will result in your child not being covered by the class insurance policy in the event of accident/injury.

KEY POINTS TO REMEMBER

- Appropriate clothing and footwear must be worn.
- Please ensure your child brings with them a face mask and hand sanitiser to be used before and after class.
- Please do not permit your child to bring any personal belongings which may get lost outdoors such as mobile phones, ipads or tablets.
- Please ensure your child is made aware of the issue of social distancing albeit we will remind them of this once at the outdoor location.

- We will issue instructions regarding the use of the outdoor area by the dancers but as always the health and safety of our dancers is our primary consideration and if you have any concerns, please contact us.

CONSENT

Please fill in below consent form and return to us at your earliest convenience.

I, _____, parent/guardian of _____,
hereby consent to my child undertaking Irish Dance classes outdoors and agree to abide by
the health and safety precautions as outlined above.

Date: _____

Signed: _____



INFORMATION REGARDING INDOOR CLASSES POST COVID-19
&
ASSUMPTION OF RISK/WAIVER OF LIABILITY AGREEMENT

Name of School: _____

INFORMATION

Over the past while things have been very different for our dancing community. We have all had to adjust to life in lockdown and for many that has brought serious challenges. Our dancing community has, however, strived to continue the love of Irish Dance in each and every one of its members, dancers and wider circles. Through quick resumption of online classes, for many, a move to outdoor for some and more recently, a move back to indoor classes, our dancing community has never ceased with its main aim of keeping Irish Dancing alive.

Now that we are fortunate to be in a position to resume our indoor classes it is important to take stock of the “new norm” with regards to the way we will run classes. Health and safety is paramount to each and every one of our staff, parents, dancers and their families. We now have to embrace a stricter regime of health and safety within our class and so we wish to draw your attention to our assumption of risk/waiver of liability agreement particularly following COVID-19. We require all parents/guardians and dancers to agree to same in order to participate in our classes.

AGREEMENT
FOR PARTICIPANTS OVER THE AGE OF 18

In consideration of being allowed to participate in lesson, competitions, performances and other activities in conjunction with our school following COVID-19, I hereby agree that:-

1. Travel to and from and participation in practices, rehearsals, group lessons, private lessons, public and private performances, local, regional, national and worldwide competitions and other related events and activities pose a risk of possible exposure to and illness from infectious diseases including, but not limited to, MRSA, influenza, and COVID-19. Although particular rules, precautions and personal discipline may reduce this risk, the risk of serious illness and death does exist; and
2. I knowingly and freely assume all such risks both known and unknown, even if arising from the negligence of the providers or others and assume full responsibility for my participation; and
3. I willingly agree to comply with the stated and customary terms and conditions for participation as regards protection against infectious diseases. If, however, I observe and any unusual or significant hazard during my presence or participation, I will remove myself from participation and bring such to the attention of the nearest official immediately; and
4. I, for myself and on behalf of my heirs, assigns, personal representatives and next of kin HEREBY INDEMNIFY this school of Irish Dance, its officers, officials, agents, and/or employees, other participants, sponsoring agencies, sponsors, advertisers, and if applicable, owners and lessors of premises used to conduct the event (“providers”) with respect to any and all illnesses, disability, death or loss or damage to person or property whether arising from the negligence of the provider or otherwise, to the fullest extent permitted by law.

I HAVE READ THIS RELEASE OF LIABILITY AND ASSUMPTION OF RISK AGREEMENT, FULLY UNDERSTAND ITS TERMS, UNDERSTAND THAT I HAVE GIVEN UP SUBSTANTIAL RIGHTS BY SIGNING IT, AND SIGN IF FREELY AND VOLUNTARILY WITHOUT ANY INDUCEMENT.

Name of participant: _____

Participant signature: _____

Date signed: _____

AGREEMENT
FOR PARTICIPANTS UNDER THE AGE OF 18

This is to certify that I, as parent/guardian, with legal responsibility for this participant, have read and explained the provisions in this waiver to my child/ward including the risks of presence and participation and his/her personal responsibilities for adhering to the rules and regulations for protection against communicable diseases.

Furthermore, my child/ward understands and accepts these risks and responsibilities. I for myself, my spouse, and child/ward do consent and agree to his/her release provided above for all the providers and myself, my spouse, and child/ward do release and agree to indemnify and hold harmless the providers for any and all liabilities incident to my minor child's/ward's presence or participation in these activities as provided above, even if arising from their negligence, to the fullest extent provided by law.

Name of parent/guardian: _____

Parent guardian/signature: _____

Date signed: _____



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