

Catholic Schools NSW (CSNSW), working with broker Marsh Pty Ltd, has secured employer liability cover for students in work experience and work placement programs in 2021. Ansvar Insurance Limited is our new insurer and offers cover at the same level as previous years. The deductible amount (excess) is \$25,000 for each incident for general cover, whilst the deductible for Personal Injury to Students has been set at \$50,000.

Employer indemnity cover through Ansvar Insurance Limited will be in force for students at Catholic schools in NSW and ACT undertaking school approved work experience/ placement programs from 4 pm on 31 January 2021 until 31 January 2022.

Dioceses and schools are reminded that:

- Any incident that may result in a claim must be notified to CSNSW, either directly or through the diocesan office, within 7 days, or within 24 hours if spinal injuries are involved.
- Schools and dioceses should contact CSNSW by emailing:
 - Gerard Delany - 02 9287 1549 (gerard.delany@csnsw.catholic.edu.au) or
 - Danielle Cronin - 02 9287 1520 (danielle.cronin@csnsw.catholic.edu.au).
- Students on work placement are not covered by Workers Compensation provisions but should make use of Medicare and other available medical insurance as a first resort.
- Dioceses and congregational schools need to maintain existing complementary student personal injury insurance, usually via a CCI School Care policy.

For students undertaking VET qualifications in Sports Coaching, Sports Fitness, Outdoor Recreation and Healthcare Assistants Ansvar Insurance Limited has agreed to provide professional indemnity coverage through a separate policy on a 'claims made' basis i.e. coverage applies only to incidents reported during the term of the policy.

A general overview of the policy summarising exclusions and key conditions of cover is attached, with the Certificate of Currency from Ansvar Insurance Limited, which replaces the QBE COC issued on 12 February 2020.

It will be necessary for all dioceses and congregational schools to purchase new work experience/ placement coverage for 2021, whether through the Ansvar Insurance Limited coverage for public liability available through CSNSW or through an equivalent arrangement, for students undertaking school-delivered VET courses or work experience.

Where TAFE NSW delivers a complete course, the TAFE Institute is responsible for managing placements and for employer liability cover. Therefore, work placements related to TVET participation should not be included. Students enrolled in multiple courses need only be counted once (and pay one premium). However, an additional question related to days in the workplace will allow their additional workplace participation to be reported.

Schools and dioceses are asked to confirm participation and provide their statistical returns electronically. Access to the on-line WORK EXPERIENCE pro forma is via the CSNSW NETiD website <https://netid.cecnsw.catholic.edu.au>. This on-line pro forma will be available by Friday 19 February 2021.

Diocesan or RI & PJP schools and personnel wishing to complete this form on-line may need to check with itissues@cecsw.catholic.edu.au to ensure that they are registered on CSNSW NETiD with access rights to the WORK EXPERIENCE pro forma.

To enter NETiD website, Diocesan or RI & PJP school personnel must enter their registered NETiD user id (in most cases this is **firstname.surname**) and registered personal password. Once logged into NETiD, find the WORK EXPERIENCE link. Clicking on the link will open up the pro forma for data entry. Data can be added progressively and saved by clicking on SUBMIT FORM. Once completed click on FINAL SUBMIT FORM, print the Confirmation Page and retain for your records.

Dioceses and schools are asked to:

- (a) Confirm their participation in the CSNSW Ansvr Insurance Limited Public Liability Policy for 2021.
- (b) Confirm the number of participating students for both work experience and work placement for 2021.

This online pro forma must be completed by COB on Friday 5 March 2021.

A return is required from all Dioceses or RI & PJP Schools, including those who tick 'no' confirming they do not wish to join in the Ansvr Insurance Limited coverage. These schools will be assumed to have made alternative public liability insurance arrangements for any work placement/work experience students.

Finance managers should note that the actual cost of cover per pupil placed will vary depending on the total number of students placed. CSNSW will levy a flat rate premium for all participating students. You will be aware that dioceses are free to levy differential rates to their schools for work experience and work placement students if preferred. The rate per student cannot be determined until the number of participants is known but will to be approximately **\$8.40**, which is similar to 2020.

Additionally, all schools are reminded that the Ansvr Insurance Limited employer indemnity work experience/placement policy is complementary to Diocesan and school work experience/placement student personal accident/incident cover. Dioceses and schools must continue to provide complementary personal accident/incident cover for all students participating in work experience/placement during 2018 and beyond. Most Dioceses and schools do this through CCI.

Please contact Gerard Delany of this office (gerard.delany@cecsw.catholic.edu.au) or phone 02 9287 1549 if you have questions/advice.

Sincerely



Danielle Cronin

Director – Education Policy



ABN 46 619 593 369

WORK EXPERIENCE/PLACEMENT INSURANCE COVER FOR NSW CATHOLIC SCHOOLS

Revised 29 January 2021

This Statement provides a general overview of available insurance cover; it does not represent legal advice. For precise advice, please consult the relevant CCI or Ansvr Insurance Limited Insurance Policy Documents. This advice replaces all earlier advice.

1. POLICIES

For NSW Catholic diocesan schools and most congregational schools¹, two separate policies provide work experience/ placement cover for students and their host employers:

- CCI School Care Personal Accident and Disability or Students' Work Experience Personal Accident Policy with Catholic Church Insurances (CCI) (or equivalent)
- Work Experience/Work Placement Public Liability Policy with Ansvr Insurance Limited (effective 31 January 2021).

Under Commonwealth legislations, these policies cannot pay for any Medicare services including the Medicare gap. These services should be claimed through Medicare and or private health insurance where available. Work placement students are not eligible for coverage through workers compensation.

1.1 CCI School Care [Personal Accident and Disability] Policy or Student Work Experience Personal Accident Policy

Each school or Diocese purchases these policies or equivalent. School staff organising work placements need to confirm the nature of their particular policy with their diocesan office or school bursar and provide advice to employers / brokers. These policies cover students for personal injury sustained whilst engaged in Work Experience/Placement activities. Students are covered whilst directly travelling to and from work places.

The Policies Cover:

¹ RI/PJP schools which do not take out employer liability cover through these policies make equivalent insurance arrangements and will provide relevant documents to host employers and brokers.

- a) Death by accident;
- b) Permanent disablement compensation dependent on injury of up to maximum e.g. \$750,000 or \$275,000 depending on SchoolCare policy chosen (*please refer to your policy to confirm extent of your coverage*)
- c) Non Medicare expenses - e.g. dental, counselling, emergency transport, travel expenses or lump sum payments for certain injuries such as fractures, burns and dislocations (limits apply)
- d) Damage to student's clothing or artificial aids resulting from an injury (limits apply).

Catholic Church Insurances (CCI) advised on 24/01/2011 of an endorsement to the NSW SchoolCare Policies to allow certain students to use motor bikes as follows:

It is hereby noted that Exclusion 2.1.6 is deleted in respect of students undertaking accredited vocational education and training (VET) courses in the HSC Primary Industries Framework for their Higher School Certificate (HSC) only.

1.2 Ansvr Insurance Limited Insurance Work Experience/ Work Placement Public Liability Insurance Policy (Policy Number 02.080.0631160)

Catholic Schools NSW (CSNSW) purchases this policy on behalf of participating Catholic Schools. For further details and documentation, including the Certificate of Currency and participants, please contact CSNSW as listed below or online at:

<https://www.csnsw.catholic.edu.au/vet/>

This policy provides indemnity for the student, the employer and participating schools involved in Work Experience/Placement activities.

The Policy Covers:

- a) Indemnity for legal liability of students and employers for Personal Injury caused to a Third Party (limit \$20,000,000 any one occurrence);
- b) Indemnity for legal liability of employers for Personal Injury to students (limit \$20,000,000 any one occurrence)
- c) Indemnity for legal liability of Property Damage to an employer's property (limit \$20,000,000 for any one occurrence)

For each claim the **Ansvr Insurance Limited policy has set a deductible cost (i.e. excess) of \$25,000 and deductible for "Personal Injury to Students" has been set at \$50,000.** The policy requires that CSNSW, acting for the Catholic sector of schools, will provide for the payment of any deductible cost. The CSNSW reserves the right to recover the cost of the excess from a Diocese or RI/PJP school.

2. CONDITIONS AND EXCLUSIONS

2.1 Some Key Exclusions

The school, the student and the employer will not be insured for the following activities:

- 2.1.1 Travel by Private and Charter Aircraft other than those providing a regular Public Transport Service (CCI provides cover as a passenger in a fully licensed commercial aircraft operated by a licensed airline over an established air route)
- 2.1.2 Travel by helicopter

- 2.1.3 Radioactivity/Nuclear material/Fuel/Ionising Radiations
- 2.1.4 Scuba/deep sea diving
- 2.1.5 Attendance at abattoirs (killing areas)
- 2.1.6 Driving any registered or unregistered motor vehicle (and engaging in motor cycling whether as driver or passenger). except as part of the BOS HSC Primary Industries Curriculum Framework (and then only when students have been appropriately instructed and supervised and the vehicle is properly maintained). *See also Section 2.4.5.*
- 2.1.7 Activities involving guns or firearms except as part of an approved and supervised Australian Defence Force activity
- 2.1.8 Watercraft exceeding 20 metres in length
- 2.1.9 Travel outside the 12 nautical mile limit at sea and undertaking construction work on structures in marine environments
- 2.1.10 Results from AIDS or HIV (direct or indirect)
- 2.1.11 Asbestos and tobacco or tobacco smoke
- 2.1.12 Activities involving service of alcohol unless the student is aged over 18, and the activity is essential to the placement and it has been agreed to by the school and TAFE NSW Institute and the student has completed the Responsible Service of Alcohol (RSA) Training Course
- 2.1.13 Sporting activities/events except as part of the Certificate II in Sports (Coaching) Certificate II in Outdoor Recreation and the Certificate III in Sports Fitness (and then only under instruction and supervision)
- 2.1.14 'High risk construction work' as defined in the NSW Work Health and Safety Regulation (2017) – see 2.4.3 below: i.e. Work that involves a risk of a person falling more than 2 metres, construction work involving the use of explosives; work near traffic or mobile plant; and work in and around major gas and electrical installations
- 2.1.15 Demolition work requiring more than the simple stripping of walls
- 2.1.16 Any excavation work at a depth of one metre or more; at a depth under one metre without direct supervision by a competent person; near utilities
- 2.1.17 Work on a roof or in a roof cavity
- 2.1.18 Work on caissons or coffer dams (permanent or temporary structures respectively, used to enable construction and excavation work)
- 2.1.19 Fines or penalties, and/or liquidated, punitive, aggravated, exemplary and/or multiple damages imposed by law
- 2.1.20 Occurrences as a result of the insured person being under the influence of intoxicating liquor or any narcotic or drug unless taken in accordance with the direction and prescription of a legally qualified medical practitioner
- 2.1.21 Total exclusion of claims arising from sexual and/or child molestation
- 2.1.22 Claims arising from repair, replacement or recall of products
- 2.1.23 Damage to insured premises/ property in the physical and legal control of the insured (property not belonging to the insured may be covered up to a limit of \$1,000,000 for any one occurrence)
- 2.1.24 Any consequence of war, invasion, act of foreign enemy, hostilities (whether war be declared or not), civil war, rebellion, revolution, insurrection or military or usurped power of confiscation, nationalization, requisition, destruction of or damage to property by or under the order of any government or public or local authority.
- 2.1.25 Mining/Quarrying/Tunnelling;

2.2 Activities Requiring Special Approval

The following activities are excluded unless specially approved for each placement. Please contact CSNSW to request approval.

- 2.2.1 Activities involving the handling of animals, other than exempted sites and/or participation in BOS Stage 6 Primary Industries Course. For further information, refer to CSNSW Diocesan Directors' memo 08/14 at:
[Work Placement Involving Animal Handling](#)
- 2.2.2 Timber getting/Sawmilling.
- 2.2.3 Abattoirs and meat processing plants (other than killing areas)
- 2.2.4 Activities other than underground activities and use of explosives in connection with: Mining/Quarrying/Tunnelling
- 2.2.5 Placements outside the territory of the Commonwealth of Australia. Overseas placements are not advised. Placements in the USA or Canada and countries subject to their jurisdiction are not permitted. Any considerations of overseas placements should take into account the federal government website www.smarttraveller.gov.au and also consider the insurance regulations of the proposed country. Any proposed placement must be referred to the insurer Ansvar Insurance Limited through CSNSW prior to approval.

2.3 Scope and Conditions of Cover

If the following requirements are not observed, available insurance may be rendered void.

- 2.3.1 Students must be at least 14 years of age and be participating in a school approved activity/placement. Students under 15 years of age must not undertake workplace learning before 7.00am or after 6.00pm.
- 2.3.2 Cover is available throughout school holiday periods, provided the work placement is arranged and supervised by the school. Year 12 students cease to be insured by their school once they complete their last HSC examination.
- 2.3.3 Interstate placements are permitted, if arranged and supervised by the school. Placements outside the territory of the Commonwealth of Australia require special approval from the insurer, through CSNSW and are not encouraged. (See 2.2.5)
- 2.3.4 Insurance cover may be voided (lost) by serious and wilful misconduct by a student while attending a work site.
- 2.3.5 The employer must have in all cases provided appropriate and reasonable instruction and/or supervision with respect to each Work Experience/Placement student.

2.4 Special requirements for higher risk industries and occupations

- 2.4.1 All students proceeding to a construction workplace for work placement or work experience must hold a construction industry induction card (CIC) issued by SafeWork NSW in accordance with Part 6.5 of the Work Health and Safety Regulation 2011. To be issued with the certificate, students must provide evidence to SafeWork NSW from a registered provider of satisfactory completion of the National Unit of Competency CPCCWHS1001 Prepare to work safely in the construction industry or equivalent unit of competency.
- 2.4.2 The employer and school must comply with all Department of Industrial Relations and SafeWork NSW requirements (including reporting requirements) for Work Experience/Placement Programs and observe any prohibited activities or SafeWork NSW

- regulations (including any age restrictions and requirements for safety equipment / personal protective equipment e.g. helmets and harnesses).
- 2.4.3 Prescribed or dangerous machinery must only be used in accordance with SafeWork NSW requirements, and only then in the context of appropriate training, supervision and risk assessment. Particular care is needed to comply with the WHS requirements for scheduled work as set out in Schedule 3 of the NSW Work Health and Safety Regulation (2017), and the WHS code of practice "[Construction Work](#)" (2014)
- 2.4.4 Any electric, oxy-acetylene or similar welding or cutting and allied processes must be done in full compliance with Australian Standard 1674 "Safety in Welding and Allied Processes".
- 2.4.5 Placements involving student operation of golf carts, tractors or farm vehicles such as motor bikes/ quad bikes are permitted only for students enrolled in the BOS HSC Primary Industries Framework. If the student does take part, he or she must have successfully completed a relevant formal training course or the related course competencies or have demonstrated substantial experience in the safe operation of such vehicles. The student still needs to be closely supervised.
- 2.4.6 A person undertaking work placement or work experience and over the age of 18 and working in occupations classed as "child-related employment" (e.g. placement with pre-schools, child welfare services, youth clubs etc) are required to complete a "Working with Children Check". The Working with Children Check is a prerequisite for paid and unpaid child-related work. Under Part 2, section 6 of the *Child Protection (Working With Children) Act 2012*. Child-related work is defined as work in a specific, child-related role or face-to-face contact with children in a child-related sector. This Check is available on-line at <http://www.kidsguardian.nsw.gov.au/working-with-children/working-with-children-check>
- 2.4.7 You are advised to clarify any such student placement requirements with the Catholic Commission for Employment Relations and/or your child protection "Head of Agency".

3. WHEN AN INCIDENT OCCURS

Any incident which may result in a claim against the employer or the school in respect of a work experience/placement student must be immediately notified (within 7 working days) in writing to the student's school. The school then notifies CSNSW either directly or through the school's Diocesan Office. Suspected spinal injuries must be notified to CSNSW within 24 hours.

- The Insurer must have full conduct and control of the claim against the employer and or the school. The employer and the school must fully co-operate with the Insurer in the conduct of any such action.
- When an incident occurs no undertaking or promise of settlement/payment may be made, since compensation decisions are a matter for assessment by the insurance company(ies). It may be possible in certain circumstances to make an apology but advice must first be obtained from the insurer through CSNSW.

CSNSW CONTACT: Gerard Delany, State Manager, Education Policy and Programs, CSNSW: PO Box 20768, World Square NSW 2002 Telephone: (02) 9287 1549 Mobile: 0412 151 953



Liz Han
Account Executive

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05 February 2021

CERTIFICATE OF CURRENCY PUBLIC AND PRODUCTS LIABILITY INSURANCE

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE HOLDER. IT DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICY. IT IS PROVIDED AS A SUMMARY ONLY OF THE COVER PROVIDED AND IS CURRENT ONLY AT THE DATE OF ISSUE. FOR FULL PARTICULARS, REFERENCE MUST BE MADE TO THE CURRENT POLICY WORDING

INSURED

Catholic Schools NSW Pty Ltd and/or its/their subsidiary and related bodies corporate, as defined in the Corporations Act 2001 (including those acquired or incorporated during the Period of Assurance) for their respective rights and interests.

PERIOD OF INSURANCE

From 4:00pm local standard time on 31/01/2021 to 4:00pm local standard time on 31/01/2022

Any subsequent period for which the Insured has requested and the Insurer has accepted.

INSURER

NAME	POLICY NUMBER	PARTICIPATION %
Ansvar Insurance Limited	02.080.0631160	100%

LIMITS OF LIABILITY

The limit of the Insurer's liability:

- shall apply exclusive of indemnity provided for under Additional Supplementary Payments
- shall not exceed the following amounts except as otherwise provided in the Policy

Primary Cover

- | | |
|------------------------------------------------|--------------|
| • Public Liability - any one occurrence * | \$20,000,000 |
| • Product Liability - annual aggregate | \$20,000,000 |
| • Advertising Liability - any one occurrence * | \$20,000,000 |

Limit for charges, expenses, legal and other costs are in addition to the Limits of Liability except for claims to which the laws of the USA or Canada apply, in which case such costs are included in the Limit of Liability.

* Should more than one Limit of Liability be applicable to any one Occurrence in respect of above, such Limits of Liability shall not be aggregated - the highest single Limits of Liability only shall apply.

Indemnity is subject to the terms and conditions of the Policy, including any applicable Sub-Limit of Liability and Deductible.

In accordance with the ongoing commitment by Marsh to quality management philosophies, this certificate has been verified for accuracy of content by:

Yours faithfully,

Liz Han
Account Executive