



# OFHSA LIABILITY INSURANCE COVERAGE

## Who is covered by OFHSA Liability insurance?

Associations and their members are covered by OFHSA Liability Insurance provided that the membership fees along with the annual Association Insurance Fee are received in the OFHSA office. Therefore, it is important for Home and School Associations to send their membership lists and fees into the Federation office early in the school year, along with the annual Association Insurance Fee. All member names must be on file in the OFHSA office to be covered for liability insurance. Note that this coverage no longer applies if an association becomes dormant or dissolves.

Individuals helping with Home and School activities and having **NO** current Home and School membership (membership runs Oct. 1<sup>st</sup> – Sept. 30<sup>th</sup> annually) are **NOT COVERED** by this policy.

## What is liability insurance?

The insurance coverage is for 'liability' only. It covers both the individual members and the association in the event that they are sued for negligence that leads to bodily injury or property damage. OFHSA liability insurance does not cover the members or association for theft, fire, flood or medical.

## What limits apply to this liability insurance coverage?

Each Home and School member is covered by this liability insurance only when the member is involved in activities related to his/her Home and School Association, Home and School Council or the Federation. The liability insurance coverage is limited to five million dollars.

## What is legal liability?

Legal liability is defined as "responsibility which courts recognize and enforce between persons who sue one another". More particularly, if bodily injury and/or property damage occur because of the negligence of a Home and School member, then that member may be found legally responsible by the courts and required to pay damages.

## What is the coverage period of the insurance?

The term of insurance coverage is from November 1<sup>st</sup> each year until November 1<sup>st</sup> of the following year. The term of insurance is set this way to recognize that new memberships may not be received in the OFHSA office until November and to ensure the ongoing coverage of the association and members in the meantime. However, all associations should send in membership lists and fees along with the annual Association Insurance Fee as soon as collected to ensure that all new members are covered by the OFHSA Liability Insurance policy.

## Who is the insuring company?

OFHSA Liability Insurance is brokered through Benson Kearley IFG Brokers in Mississauga to find the most economical insurance provider, and as such, the company may change from time to time.

## **What types of Home and School activities are covered by this insurance?**

Home and School Associations organize and participate in many activities: general and executive meetings; babysitting during meetings; workshops; fundraising projects; safe arrival programs; school picnics and fun fairs; mall displays; H&S Council meetings; leadership days and conferences. In addition, Home and School activities take place at the H&S Council, Board of Directors and Executive levels of the Ontario Federation. Without exception, each Home and School member, when involved in these activities, is covered by this liability insurance and is protected from the financial impact of a lawsuit.

## **What is an example of a situation in which a Home and School Association might be faced with a lawsuit?**

*Scenario: To raise money, a Home and School Association set up a hot dog stand at a garage sale being held in the community centre. The extension cords to the plate used to cook the hot dogs were left dangling. A child tripped on the cords and, in pulling the hot plate off the table, was burned and permanently scarred. The child's parents felt negligence was a factor in this situation and launched a lawsuit naming not only the community centre but also the Home and School member who set up the hot plate and the Home and School Association organizing the hot dog sale.*

In this lawsuit, OFHSA Liability Insurance would look after the interests of both the Home and School member and the Home and School Association.

## **When does the insurance company become involved in a lawsuit?**

The insurance company is contacted as soon as a Home and School member or a Home and School Association is notified about a lawsuit. The insurance company then investigates the situation and the company lawyer carries the case through to its conclusion. Without this insurance policy, the member or the association would be faced with costly legal fees and perhaps, a substantial financial judgment.

## **Doesn't the liability insurance carried by school boards cover Home and School Associations?**

School board insurance covers its employees and volunteers while they are acting on behalf of the school board and participating in school-related activities sanctioned by a board official (usually the principal). Some Home and School activities, however, are independent of the school, taking place offsite at Home and School Council meetings, shopping malls, workshops and conferences.

Sometimes, Home and School Associations carry out activities in the community outside of the school building and the school board's authority. Even though the school board insurance covers volunteers at school sanctioned events, the Home and School Association may also be named in a lawsuit and the school board's insurance will not cover that situation.

## **What is a certificate of insurance?**

Sometimes, when a Home and School Association is planning an activity, members are required to provide a certificate of insurance as proof that they have liability insurance coverage. An association requiring proof of insurance should make a request through the federation office. When contacting the office, please include your Association name and type of activity a certificate is required for.

***Accident Reporting Guidelines and Forms are available by contacting the OFHSA office.  
OFHSA Liability Insurance Certificates are available by contacting the OFHSA office.***

**OFHSA  
51 Stuart Street  
Hamilton ON L8L 1B5  
905-308-9563  
info@ofhsa.on.ca  
www.ofhsa.on.ca**