

## Liability & Insurance cover for UK Travellers – v0

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### **Warning:**

**This document is not definitive nor legally binding, but is intended to capture our best understanding.**

### Intro

This note summarises the **Liability & Insurance** situation for UK-PP Travellers, either undertaking **Short-term Trips** (STT) or on **Long-term Attachments** (LTA).

It considers **Staff** and **Students** from **STFC** and **UK Universities**.

*Liability* indicates who is responsible for a situation – that person or organisation then may suffer the consequences of an incident: legal, financial etc.

*Insurance* is a mechanism for coping with any financial consequences of an incident.

In a complex situation where there is significant damage to equipment or people, then establishing liability may be difficult and may need to be decided ultimately by a court. However if an individual has acted irresponsibly, for example ignoring rules or being irresponsible, then that person may be **personally liable**.

As a general principle, STFC, being a NDPB (Non-Departmental Public Body), does not have insurance and is covered by **Crown Indemnity**. In practice that means that any financial compensation is paid for directly by STFC funds, in the first instance. [1]

In what follows, unless specified otherwise, what is written covers all locations (CERN, other locations, STFC sites) and is for STT and LTA.

The first port of call for personal medical or dental situation should always be **EHIC**.

### STFC Staff

STFC Staff are covered for personal injury by **Emergency Medical Insurance** [2]. This is intended to provide emergency **medical or dental cover**, to ensure that treatment can be delivered immediately. Routine care is the responsibility of the Traveller, with the expectation that he/she may seek to have treatment in the UK.

Concerning 3<sup>rd</sup> party cover (injury to others), in general, STFC will be liable (but see above).

### STFC-funded Students [3]

STFC-funded Students when on LTA (>120 days) are covered in the same way as STFC Staff. (LTAs are limited to no more than 730 days.)

For STT, Students should be covered by their University for all aspects, including 3<sup>rd</sup> party incidents. The University's **Doctoral Training Grant** includes financial provision for insurance.

### University Staff

The liability for University Staff sits with their employers, namely their **Universities**. How Universities choose to cover their liabilities (insured or uninsured) is their business.

STFC does make some provision in the **Consolidated Grant** to provide insurance cover [4].

When visiting STFC sites, if this is at the invitation of STFC to undertake work for STFC (eg a committee), then STFC is liable.

If a staff member comes to work at an STFC site simply as a collaboration member, then the liability for their actions lies with their University or the individual. STFC is liable only for any damage caused through the actions of STFC Staff or their equipment.

### **Non-STFC-funded Students**

As for University Staff.

### **On the CERN Site**

CERN provides 3<sup>rd</sup> party insurance for all CERN-Associates. This covers injury to people, but not damage to property or installations. Employers will be liable for any damage to CERN property or installations caused by their staff.

### **Notes**

[1] <http://staff.stfc.ac.uk/about/gov/Pages/Insurance.aspx>

[2] It has been suggested that the cover is only for 12 months. This is true in so far as cover is obtained for 12 months at a time; however the cover is renewed each year.

[3] <http://www.stfc.ac.uk/funding/studentships/studentship-terms-conditions-guidance/overseas-fieldwork/>

[4] "The costs of travel insurance should normally be included in the Indirect costs of the Research Organisation, but may be requested as a separate directly incurred cost where it can be shown that the cost arises specifically as a result of the project funded by the grant, is not covered by the existing institutional policies, and is separately identifiable and audited."

<http://www.stfc.ac.uk/research-grants-handbook/5-applying-for-a-grant/5-2-directly-incurred-costs/#5.2.5>