

Frequently Asked Questions about the SCMA Practitioner Insurance Policy: Childminder

We hope that you find this information useful, and it answers any questions you may have about the insurance that is included within your membership. SCMA membership automatically includes SCMA Practitioner Insurance arranged and administered by Morton Michel and underwritten by QBE UK Limited.

The insurance applies only if you have a valid SCMA membership.

	Limit	SCMA Member
Public and Products Liability	£10,000,000	✓
Employers' Liability	£10,000,000	✓
Professional Indemnity	£100,000	✓
Legal Expenses	£100,000	✓
Childminder Contents	£1,000	✓
Property Damage	£1,000	✓
Loss of Revenue	£20,000	✓
Temporary Suspension of Registration Certificate	£2,500	✓

For a summary of each section of cover please [READ our Policy Summary](#)
and you can also [READ our Full Policy Wording](#)

About the Sections of Cover

What is Public Liability Insurance?

Public Liability insurance covers you for damages and legal defence costs for Third-Party property damage or Third-Party injury (or death) that is considered, by law, to have been caused by your negligence. A 'Third Party' is anyone that is not the business or its employees. Therefore, minded children and general members of the public would be 'Third Parties'. This section of cover will not provide for property that is in your custody and control except hired / leased / rented premises. This type of cover will respond to insured incidents that occur during the period of insurance.

Do the public liability sections of cover me for accusations of abuse?

The cover excludes 'any deliberate or intentional criminal act or omission'. This is standard in the insurance industry for abuse cover. However, if the policyholder is alleged to have enabled an act of abuse or it is alleged that their negligence has resulted in abuse, then cover would apply under the Public Liability section (damages covered up to £10m). The wording is intentionally 'silent' on abuse, which means that the insurer does not take the approach of specifying what acts of abuse are covered, and likewise, they do not exclude it. Morton Michel believes this provides the widest form of cover available – undefined acts of abuse, up to the requested limit of indemnity.

The insurer covers all legal costs associated with Public and Products liability claims in addition to the overall limit. Public Liability claims are covered on a 'claims occurring' basis. If you have continuous membership, the policy will be paid as part of your membership package and cover will remain in place in perpetuity for the period it is operative. Abuse claims tend to occur (on average) much later than the period of abuse itself, so Morton Michel feel this basis provides lasting peace of mind.

Under the Legal Expenses part of the policy, there is cover for Legal Defence costs where a criminal investigation and/or enquiry by the police is made.

What is Professional Indemnity Insurance?

Public Liability insurance provides cover following injury or property damage (as above). Professional Indemnity insurance covers you if a Third Party suffers financial losses that are considered, by law, to have been caused by a negligent breach of your professional duty. This type of cover will respond to any claim made by a Third Party, during the period of insurance as opposed to when the breach occurred.

What is Employers' Liability Insurance?

Employers' Liability insurance covers you for damages and legal defence costs following an injury to an employee, while they are undertaking their duties, for which you are legally liable. This type of cover will respond to insured incidents that occur during the period of insurance.

What is Loss of Revenue Insurance?

This section of your policy covers your loss of income should you not be able to carry on your business as a childminder as a result of physical damage to your property from causes such as a fire or a flood. There must be insurance in place covering the property - this would normally be your home insurance - but where you work at non-domestic premises this would usually be the landlord's insurance policy. If you are in doubt about whether you have the correct premises cover in place, or for further assistance on home insurance please call Morton Michel on **0330 058 9860**.

What is 'Practitioner Contents' Insurance?

Practitioner Contents are specific business contents used for your business that are not normally covered under your personal household policy. Cover is provided for loss, including theft, or physical damage.

What is 'Other Property' Insurance?

This is cover for Third Party property in your custody and control, for example your minded child's property.

What is 'Temporary Suspension of Registration' Insurance?

Noting that the Loss of Revenue section only applies following property damage, this section provides cover for consequent reduction in gross revenue and increase in cost of working in the event of your registration certificate being suspended, during the period of insurance, by the appropriate authority.

What is Legal Expenses Insurance?

This section provides cover for legal costs and expenses following an insured event. The insured events and additional services are listed below. Cover is provided for any valid claim made during the period of membership.

- Online Legal Services: a service for downloading and building legal documents.
- Legal and Tax Advice Helpline: available 24/7 for commercial issues within EU law.
- Counselling Helpline
- Employment Disputes and Compensation: employment or related legal rights, and includes TUPE.
- Restrictive Covenants: both pursuit and defence for alleged breach of restrictive covenant.
- Tax Disputes: a formal enquiry into your personal or business tax affairs.
- Property Disputes: disputes relating to property following damage, nuisance or trespass.
- Identity Theft: disputes arising from the misuse of personal information.
- Criminal Investigation: work related and motoring prosecutions, civil proceedings, Investigatory and disciplinary hearings by professional bodies.
- Compliance and Regulation: appeal against a statutory notice issued against the insured's business, or defence of a civil action brought under the Data Protection Act.
- Statutory Licence Appeals: an appeal against a decision to alter, suspend, revoke or refusal to renew a statutory licence or registration.
- Loss of Earnings: Attendance Expenses / Jury Service.
- Personal Injury Defence.
- Executive Suite: a suite of covers to protect the principal, executive officers, directors and partners of your business. This includes, HMRC enquiry into personal tax affairs, personal motor prosecution, personal identity theft, mediation to resolve a partnership agreement and personal crisis communications.
- Contract and Debt Recovery: arising out of an agreement for selling or hiring goods or services.
- Crisis Communication: expert advice and helpline to help manage communication in times of crisis.

The following are commonly asked questions and do not provide the full detail of the policy cover. You must always refer to the [Policy Summary](#) and full [Policy Wording](#). If you have any further questions, please call Morton Michel on **0330 058 9860**.

Am I covered for administering drugs and medicines to the minded child, including the use of Epi-Pens, tube-feeding and similar?

The administration of non-prescribed drugs or medicines, prescribed oral medication or asthma inhalers, and the administration of other medication is covered strictly in accordance with conditions stated in the policy. *Administration of Drugs or Medicines and Administration or provision of oxygen, tube feeding, cleaning and changing can be found on pages 20 and 21 of the full [Policy Wording](#).*

If a child comes to my setting with a broken bone in a cast am I insured to accept that child?

Yes, you should carry out appropriate risk assessments on activities and as always, act as if uninsured.

What ages of children am I covered for?

You will be insured whilst you are caring for children 0-17 inclusive, subject to your regulating authority requirements.

Am I covered to take the minded children outside of my registered premises/employer's home?

Yes, you can take them anywhere in the UK including whilst attending childminding / parent and toddler groups and activities, day trips and outings in the UK, pick-ups and drop offs.

Does cover apply abroad?

The territorial limits under the policy are: United Kingdom, the Isle of Man and the Channel Islands only.

Does cover apply to the Armed Forces (bases?) outside the UK?

No.

Does the Public Liability and Employers Liability sections cover me when I employ assistants/work experience students?

Only if you are a childminder, then you are covered for both Public Liability and Employers Liability, subject to you complying with your registering authority requirements and you having provided your ERN Number.

Am I covered if one of my own children injures one of my minded children?

Your policy will cover your legal liability for this eventuality, as long as the children are under your supervision at the time of injury.

Am I covered for using a trampoline, climbing frame, garden swimming pool, bouncy castle, or other similar inflatable play equipment?

There are conditions under the insurance policy regarding these activities that you must comply with. Please refer to the [Policy Wording](#).

If I am a childminder, am I covered if I provide babysitting and nannying services?

Yes, when provided on a regular structured basis incidental to your activities as a registered childminder.

If the minded children are invited out, e.g., out to play, to birthday parties or to another's house, should I stay with them?

Yes. Please note that the policy excludes any injury to the minded child whilst not under your direct care and custody.

If there is an emergency, am I covered if I leave a minded child with another responsible adult?

Only in an emergency i.e., sudden and unforeseen circumstances beyond your control, can the minded child/children be left temporarily in the care of a responsible adult.

Are children aged seven to 17 years old covered by the insurance for outside recreational activities or walking to and from school unaccompanied?

No. The policy requires that any minded child is under your direct care and custody at all times (*unless in an emergency – see above*)

Does insurance cover apply when two childminders together work from the same address?

Yes, only for you as a member subject to you complying with your registering authority requirements.

Is there cover under this policy for injuries to minded children if I have a car accident?

No, you should have separate insurance in force that covers carriage of passengers for business use. For further assistance on motor insurance please call Morton Michel on **0330 058 9860**.

If a parent cannot get to my setting and I collect/take the minded child from/to their own home, am I covered if this child is injured?

Yes, subject to written consent from the parents. If you are driving you should have separate insurance in force that covers carriage of passengers for business use. For further assistance on motor insurance please call Morton Michel on **0330 058 9860**.

What type of equipment is covered under the Practitioner Insurance Policy?

If you are a childminder you have cover for equipment used solely in connection with your business such as toys, play equipment, laptops etc. For childminders and nannies, you have cover for damage for "Other Property" including that belonging to the minded child /children and damage caused by the minded child/children.

Are my own household contents covered by the policy?

No. Damage by the minded child to your personal property is not covered by this policy. Home Contents insurance is normally covered under a Household insurance policy. For further assistance on home insurance please call Morton Michel on **0330 058 9860**.

What happens to my Practitioner Insurance policy if I move house?

Please advise SCMA immediately if you change your address

What do I need to think about with regards to pets in the home?

If you have pets on the premises where you carry out your childminding business, you need to ensure that the appropriate risk assessments have been completed to ensure that the children in your care are not at risk of harm from any of these pets. Where possible children and animals should not be left on their own together, and all interactions between the two should be supervised with good hygiene measures in place alongside.

Are there any breeds of dogs that wouldn't be covered by my insurance policy - and are there any types of pet that wouldn't be covered by my insurance policy?

The Practitioner Policy you hold does not include cover for your pet. If you require such insurance, you should purchase a separate pet insurance policy. In the event that a child in your care sustains injury as a result of your pet then it is possible that the Public Liability section of your Practitioner Policy would provide you with some protection. This would not apply if you own any dog that is covered by the Dangerous Dogs Act or any animal that you require a permit or license to have in your home. Please contact Morton Michel should you require any clarification on this matter.

If I clear the snow on my path/drive and a parent falls and is injured, am I covered?

This type of liability normally rests with the property owner so, for a childcarer operating from their home, it should be covered under the household policy. However, many household policies will exclude business activities so you should ensure you have the right cover in place. For further assistance on home insurance please call Morton Michel on **0330 058 9860**.

Similarly, for property that has been hired or rented, the property owner should have Property Owner's Liability insurance. We would suggest that you seek legal advice before entering into a contract to hire premises, in order to avoid creating a contractual liability for which you may have no insurance cover.

If I let the children play in the garden whilst snow is on the ground, and they are injured, am I covered?

Yes, if you are legally liable but you must always act as if uninsured and take all reasonable precautions to protect the minded children from injury.

Am I insured to use a fire pit with the minded children to do things like roasting marshmallows?

Similar to any other more 'hazardous' activity, insurers will require that you act as if uninsured and can demonstrate that risk assessments had been undertaken with appropriate risk mitigations implemented.

Am I covered if I mind a child with additional and complex needs?

Yes, ages up to and including 17, subject to you complying with your registering authority requirements.

Can I accept children who have food allergies?

Before admitting a child to the setting, you must obtain information about any special dietary requirements, preferences and food allergies and any special health requirements. You must record and act on information from parents and carers about a child's dietary needs. Any provider preparing food must follow appropriate food hygiene regulations.

Are Forest School activities covered under my policy?

The policy covers outdoor learning type activities as long as you act as if uninsured and can demonstrate that risk assessments had been undertaken with appropriate risk mitigations implemented. It is expected that full Forest School activities would be undertaken by specialist Third-Party accredited organisations and such activities would not be dealt with under this policy. However, the policy would cover 'outdoor learning' activities as long as you act as if uninsured and can demonstrate that risk assessments had been undertaken with appropriate risk mitigations implemented.

Am I covered to use real tools e.g., knives and hammers etc., as part of activities in my childminding setting?

Similar to any other more 'hazardous' activity, insurers will require that you act as if uninsured and can demonstrate that risk assessments had been undertaken with appropriate risk mitigations implemented.

What if a parent owes me money for the services I provided?

Your legal expenses section provides assistance with recovering debt. Please refer to the [Policy Wording](#) for more information.

What if I have two insurance policies that cover the same event?

Most insurance policies will contain a 'Dual Insurance' or 'Other Insurances' type clause that stipulate that the insurer will only contribute their rateable proportion of any claim – if there is more than one insurer providing cover. Please check the policy wording of other insurances.

Does my insurance cover me for running occasional creches? For example can I attend a wedding and care for the children of the parents attending?

This cover is not provided as it is outside of standard childminding activities. Please contact Morton Michel on **0330 058 9860** with full details and they should be able to offer you a solution.

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scma Scottish
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Association
committed to quality childcare

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