



ORIENTEERING  
C A N A D A

# Insurance

Orienteering Canada runs a national insurance program that covers Orienteering Canada, Provincial and Territorial Orienteering Associations (PTOAs) and their Clubs. This document gives an overview of the insurance program. Any summaries and interpretations of Orienteering Canada's insurance policy included here are for guidance only and in all cases the specific wording of the insurance policy takes precedence.

## Why do we have insurance?

- We have insurance to transfer or reduce risk.
- Our land use permits require us to have insurance coverage.
- Our volunteers want to reduce their personal risk when they are organizing events.

## Who is insured?

- Orienteering Canada and its member PTOAs and affiliated clubs.
- Executive officers and directors of Orienteering Canada, PTOAs and affiliated clubs but only with respect to their duties as officers and directors. If Directors are interested in a stand along D & O package which offers additional coverage please contact [insurance@orienteering.ca](mailto:insurance@orienteering.ca) for additional information.
- Employees of Orienteering Canada, PTOAs and affiliated clubs but only for acts within the scope of their employment. Please note that this is limited and will not cover employees for loss of wages. Clubs with employees may wish to speak to the insurer if they are looking for additional coverage.
- Volunteers of Orienteering Canada, PTOAs and affiliated clubs but only for duties assigned.
- Any member while participating in or training for a sanctioned sporting or social event.
- Any municipality, government department, sponsor and owner of facilities in whose name Orienteering Canada has agreed to provide insurance.

## What is covered by the insurance?

- Costs of accident (occurrence) that caused:
  - Bodily injury
  - Personal injury
  - Property damage
  - Property damage to rented sites
  - Directors & Officers (E & O)

## What is NOT covered by the insurance?

- Erasure, destruction, corruption, misrepresentation or misappropriation of DATA
- Bodily injury, property damage or personal injury arising directly from TERRORISM
- Bodily injury, property damage or personal injury arising directly from FUNGI or SPORES
- Claims against volunteers, employees, officers, directors for SEXUAL molestation, harassment, physical or mental ABUSE whether actual or alleged
- Events involving alpine skiing or off road downhill mountain biking ARE NOT included in Orienteering Canada's insurance. Note that cross country mountain biking and skiing are allowed.
- Any type of event not covered in Orienteering Canada's Officials Training is not covered by our insurance. This means that non-orienteeding events (e.g. adventure racing) or orienteeding events which are not covered in the Officials Training (e.g. Canoe Orienteering) are not covered by our insurance.

## What are our responsibilities?

- Notify Orienteering Canada who will report to the insurance company an "occurrence" which may result in a claim.
- Notify Orienteering Canada who will report to the insurance company if a claim or action is brought against an insured.
- In the event of a Claim, Occurrence or Action no insured will, except at their own cost, voluntarily make a payment, assume any obligation, or incur any expense, other than first aid without the insurer's consent
- Every event to be under Orienteering Canada's insurance must be an "Orienteering Canada" sanctioned event.
  - Event is organized by trained Orienteering Canada officials at the appropriate level.
  - Event is held according to accepted standards in the sport
  - That organizers made reasonable attempts at reducing known risks
  - That if asked by court/insurer the event organizers could show the above
  - Every participant must be a member but "day of" members are acceptable.

## Reporting

- Every participant must be recorded with enough details that any occurrence can be substantiated and that record must be made available to the insurance company when requested. These records along with the waivers must be kept for the applicable time period that a person can wait before making a claim.
- Each PTOA/Club needs to report to Orienteering Canada a summary of the events held each year. This report must include the following:
  - Date of event
  - Type of event (orienteering, training, awards or other)
  - Number of participants.

## Waivers (for adults) and Assumption of Risk (for minors)

- **General info that applies to both paper and on-line waivers:**
  - Waivers are intended for adults and Assumption of Risk forms are intended for minors. For simplicity, in this section we'll use the word waiver to apply to both waivers and assumption of risk forms.
  - By signing a waiver the participant gives away their right to sue the organizers. "releasing organization, volunteers, land owners..."
  - Waivers must be signed – why? Transfer of risk to the participant and away from organizers.
  - Waivers must be kept – why? Prove the participant freely accepted the risks. Ideally waivers are kept for 5 years.
  - Waivers should include the risks of participating in the event.
  - Waivers do not remove your liability. The waiver helps prove that the participant understood the risks involved. Note that with or without a waiver a participant can still sue.
  - For minors (those under the age of majority) the parents or guardian needs to sign an Assumption of risk on the minor's behalf.
- **If you are using on-line waivers:**
  - Please ensure they are signed annually
  - Records should be kept for 5 years
  - Digital "signatures" are acceptable
  - Each participant needs to sign their own waiver- do not combine family members under one digital signature
  - Parents/ guardians must digitally sign their minor's assumption of risk if they are under 18
  - Only one minor per assumption of risk, do not combine minor children under one digital signature

- ***If you are using paper waivers:***
  - Please ensure they are signed annually
  - Should be kept on file for 5 years
  - Ideally waivers and assumption of risk forms are separate from a registration form
  - One waiver per person must be signed. Do not have multiple participants sign one form
  - One assumption of risk per person must be signed. Do not have multiple minors on one form.
  - Parent's guardians may sign the assumption of risk for anyone under 18

## Certificates of Insurance

- Certificates of insurance are sent out at the start of year to all PTOAs. Requests for changes to this certificate should be sent to [insurance@orienteering.ca](mailto:insurance@orienteering.ca) and include the following:
  - Name of the association requesting the addition.
  - Name of the organization to be added as a named insured.
  - Email address to return the certificate to.
- Before sending requests for certificates please check with PTOA to see if your existing certificate is appropriate.
- If you need a certificate for a specific event, please ensure the request is completed on the "Certificate Request form" provided on the website and include:
  - Name of the association requesting the addition.
  - Name of the organization to be added as a named insured.
  - Date, location and nature (type of orienteering, type of participants) of the event.
  - Expected number of participants
  - Email address to return the certificate to.
  - Details of any additional coverage required. Costs for this will be provided before going ahead with the additional coverage.

**Please allow at minimum 5 business days for the above requests, some requests may take longer.**

## Documents

Copies of the insurance policy and endorsements are available by request from an affiliated club or provincial/territorial association to [insurance@orienteering.ca](mailto:insurance@orienteering.ca).

## Working with groups

The number one thing we need to answer when considering activities with groups is:

***"Who is leading the activity?"***

When groups are attending our events:

If we (OC, PTOA or Club) is leading the event, the participants from the group need to follow our regular rules to participate:

- Register with the club in which is holding the event(online or in person)
- Sign a waiver (for adults) or assumption of risk (for minors)

The payment of a fee by a participant is not required for insurance purposes, although there are other reasons why payment of a fee is worthwhile. Sport Canada (OC is in the process of applying for funding and the number of members we have will influence potential funding) and perhaps your Provincial/Territorial government may count a participant or member as someone who has paid a fee. This is a consideration for your club's administrators if you are looking for the ability to report participation to your Province/Territory.

#### **What if the outside organization has their own insurance?**

Most user groups **will** have their own insurance. Just because they have insurance elsewhere, affiliated with another organization does not mean that the insurance coverage will extend to our activities. If a group wants to participate in our event, they need to follow our process.

#### **School groups**

Again, ask the question- **who is leading the activity?**

If a volunteer is invited to a school to run an activity and you are an invited guest, the school and kids are covered by the school board and the volunteer is covered by us.

If the club is organizing an event and the school group comes to your event, then the participants fall under our normal process requiring a registration and waiver.

#### **Can we go off school property and still be covered?**

If the school is leading the event, are responsible for the kids getting to and from the activity and are responsible for the overall supervision and you are participating as a guest for instructional purposes, then the regular school is covered for themselves and our insurance covers you.