

BBKA INSURANCE for the period 4th October 2022 – 3rd October 2023

Aviva Policy Number: 100746022CCI

Frequently Asked Questions – Version 4

Over the years a number of queries have arisen about the insurance cover the BBKA has arranged for its Members. The following information provided by the BBKA is designed to help Members understand the cover they have.

As with all insurance, these FAQs should be taken as indicative answers only – the final wording is that contained in the policy and the interpretation rests with the insurance company. You can find policy and confirmation of cover documents at www.bbkanews.com

Any questions not answered here should be addressed to the BBKA office at bbka@bbka.org.uk.

1. As a member of the BBKA what am I covered for on the insurance arranged by the BBKA which is included in the cost of my membership fees?

Third Party Public and Products Liability insurance from the BBKA

The Third Party Public and Products Liability insurance policy automatically covers all Honorary, Registered, Partner, Junior, UK-resident (plus Isle of Man, Jersey and Guernsey) Individual Members and constituent associations (referred to collectively as “Members”) against any financial loss caused by a successful claim against them by a third party following injury or damage to property deemed to have been caused by the Member, or their bees, whilst undertaking beekeeping activities or through the normal use of their hive products. The limit of this cover is presently £10,000,000 with each new claim carrying an excess of £500 for third party property damage claims that is payable by the Member.

Members of the public, whilst not being covered by the insurance provided by the BBKA, are protected by the third-party public liability insurance.

BBKA insurance cover will defend the member against any claim and provides cover up to £10m. For a claim to be successful the plaintive would have to prove that they had been harmed and that that harm was caused as the result of negligence by the beekeeper.

2. Are members of the public who attend Taster Days or visit our apiary covered?

The public are protected by the BBKA insurance when attending a taster day or training sessions. If a member of the public was injured (or their property damaged) and felt this was due to negligence, they could sue the BBKA members supervising the event (although liability should never be admitted, in case this results in cover being invalidated). BBKA Registered, Partner, Honorary and Junior members have BBKA insurance but not Country members. Naturally, BBKA cover would only protect a member of the public if there had been a *failure in duty of care* by a BBKA member.

Members of the public attending sessions run by members are protected by the third-party public liability insurance even when handling a frame of bees, provided they are under the direct supervision of a BBKA member as defined in Question 1 above.

*Direct supervision means there is a BBKA member present when attendees are handling bees.

Members should be clear that in the event of a claim, it will be brought against that member's BBKA insurance. If the affiliate association is a Charitable Incorporated Organisation (CIO) or limited by guarantee, then the claim could be against the affiliate association. Otherwise, it will be brought against one or more of the individual executive committee members.

The BBKA recommend that if a member wishes to run a training course or taster day that they distinguish between beginner courses which include significant practical beekeeping and 'Taster' courses with very brief supervised beekeeping experience. For courses involving significant practical beekeeping it may be appropriate to have all participants join the BBKA beforehand and therefore they will be individually insured. For Taster courses the insurance will be via the supervising member.

The BBKA recommend that if a member wishes to run a training course or taster day that they:

- a. Carry out and document a full risk assessment;
- b. Advise people attending the course of the risks and be able to prove that that advice had been given;
- c. Be able to differentiate between a reaction to a sting, a severe reaction and an anaphylactic reaction;
- d. Have a plan for contacting the emergency services and how the emergency services will find the site, as well as ease of access.

3. Does this policy cover my equipment against all risks including theft?

No - unfortunately the BBKA All Risks insurance scheme has been discontinued.

Aston Lark can still offer cover, on a bespoke basis, using options from a wide number of insurers. However, the minimum cost will increase to at least £140 which we anticipate to be unacceptable to the majority of beekeepers with relatively normal levels of (but nonetheless beloved) equipment.

For hobby beekeepers, Aston Lark suggest you have a discussion with your household insurers with the aim of adapting your insurance cover to include hives in the open and other insurance covers that may not automatically be catered for. If they are unable to assist, Aston Lark has negotiated facilities that will give most of, or all the insurance cover, you may require on one of more of their own Household Insurance policies but they can only do so by arranging all your Household cover (not just beekeeping equipment).

Aston Lark would be very pleased to hear from you if you would like a Household Insurance quotation, including beekeeping equipment, please contact:

Raquel.addleman@astonlark.com 0161 830 1294
Daniel.hopwood@astonlark.com 0161 830 1283
www.astonlark.com 3 Parsonage, Manchester, M3 2HW

4. Does this policy cover me if my hives have American or European Foul Brood?

No. Bee Diseases Insurance (BDI) provides optional insurance for the replacement of beekeeping equipment should it have to be destroyed due to an incidence of a notifiable disease, such as European or American Foul Brood. Further information about how Bee Diseases Insurance Ltd operates can be found on the BDI website www.beediseasesinsurance.co.uk

Please note, not all BBKA Associations and Branches offer BDI insurance – please check with your membership secretary.

5. I pay a small extra premium with my subscription to my local branch each year for BDI insurance. What is this for?

This is a separate premium for Bee Diseases Insurance (BDI). In the event of your bees and equipment having to be destroyed due to foul brood, then this policy will pay out a fixed amount to help you replace your equipment. This is administered totally separately by BDI. The costs of this policy are part of your main subscription to your local association.

6. I've heard something about an excess; am I going to be charged for notifying a claim?

The Liability policy's £500 excess is a market-standard feature in the UK. It exists to impose an element of responsibility on the insured person so as to minimise recklessness.

The excess is limited in scope as it only applies to allegations of property damage. Claims alleging an injury are never subject to an excess.

Additionally, the excess is not payable during the defence phase of the claim. Insurers will provide full assistance and defend against the claim as robustly as possible. The excess is only payable when the decision is taken to make a payment to the Third Party. If the claim is successfully defended, no excess is payable.

The Insurers review the level of excess regularly in conjunction with the BBKA, but this must be balanced with premium considerations, as insurers require higher premiums for lower excess levels.

7. Are all Membership categories covered for insurance automatically?

Registered, Partner, Junior and Honorary members who are UK residents (plus Isle of Man, Jersey and Guernsey) are covered automatically for insurance as part of their payment of membership fees. Country membership does not include insurance cover.

If you are in any doubt as to whether you personally are registered with the BBKA, you should consult with your association's Membership secretary.

8. Is it the bees or the beekeeper that is covered?

Bees obviously cannot be sued, so it is the beekeeper that is covered.

If a claim is made against BBKA Member, John, for a loss he caused while looking after Mary's bees during her holiday, then John is covered even though the bees aren't his. Even if Mary isn't a Member, as long as John is a Member he will be covered if he is named in the action.

If it becomes apparent that it was actually Mary that was responsible for the loss and she is named in the action, the policy will only protect her if she is a Member.

9. I am called by a member of the public to collect bees that have swarmed – am I covered? What happens if I charge for my services?

You are covered provided, it is part of your normal beekeeping activities. If you charge reasonable expenses to cover fuel costs then this will not affect your cover. However, if you make a business out of swarm collection this would be viewed differently. You would need normal Commercial Insurance for this business activity which is not covered by the BBKA policy.

10. Is there any restriction on working at height?

No. The Aviva policy does not have a specified restriction for working at height. Broadly speaking, you should not attempt any work for which you do not have adequate equipment, training or experience. The policy does not cover reckless acts, so if you are in doubt seek guidance from someone with the relevant experience or training, or preferably use an alternate method that would avoid you having to climb to height.

11. I sell honey and wax products at farmers' markets and local shows and they need proof of Third Party Public Liability and Product Insurance.

The confirmation of Insurance document available for download and printing from the BBKA website is sufficient to satisfy this requirement. You will need to log-in with your membership number and postcode to access the file, which can be found at: www.bbkanews.com

12. I make a range of skin care products that I sell at markets and via retail outlets – am I covered for Product Liability if anyone makes a claim against me?

The BBKA policy only covers primary hive products – defined as wax, honey and propolis with no other added ingredients. Some examples of covered products are pure honey, lip balms consisting of honey and beeswax with no extra ingredients, and candles with no perfumes or colourings. Bees wax wraps are not covered.

The restriction applies because if a product with added ingredients proves to be faulty, it is difficult and sometimes impossible to prove whether it was the hive ingredient or additive at fault.

For instance, if cakes were covered, the insurance company would require lists of all products made and ingredients used by each and every member, and every product would need to comply with food

hygiene and production standards. Premiums would be payable on an individual basis and therefore prohibitively high.

13. The number of my hives has grown over the years and I now supplement my income from beekeeping – am I covered?

The policy is designed for hobbyist BBKA Members, not commercial ventures or bee farmers. With 40 colonies or more you would be eligible for Membership of the Bee Farmers' Association (BFA).

As such, cover is provided up to a limit of 39 hives per person. If you tend 40 or more hives by yourself you should apply for membership of the BFA.

If you share responsibility for the hives with another member, then the hives can be treated as shared between you for insurance purposes. Cover will not be invalidated as long as there are not more than 39 hives per person.

Additionally, insurers view any operation with any direct employees as a commercial venture, which cannot be covered by the policy.

14. I joined my local association in January, when did my insurance cover start?

As a Registered, Partner or Junior Member, your cover started the day you paid your local association subscription and received a receipt. However, if a claim arose between the time of your payment and your registration with the BBKA by your association, you would need to provide definitive proof that payment was made before the incident arose for a claim to be accepted.

15. I am a new direct UK Individual Member of the BBKA; when does my insurance cover begin?

The insurance cover for a new individual Member of the BBKA begins six weeks after he/she is accepted for Membership. When you renew your Membership, cover will start from the date you pay your renewal subscription to the BBKA.

16. As Membership Secretary I update members details on the members register. If some of the names on the list have lapsed or are awaiting renewal (ie have not paid me at the time) are they still covered?

Technically they are in default and would not be covered. However, if a claim arose, each case would be investigated and resolved on an individual basis. In order to avoid this potential exposure, it is imperative that all associations ensure that their Members understand this exposure and are encouraged to pay all dues promptly.

FAQs for Branch & Area Association Officers

The BBKA recommends that if the affiliate association is not a Charitable Incorporated Organisation (CIO) or Limited by Guarantee it gives serious consideration to becoming so.

17. I am a Treasurer of my local branch, am I covered for any claims against me as a branch official as opposed to in my beekeeping activities?

The BBKA policy includes what is commonly referred to as 'Trustees Liability' cover for all officials of the BBKA, Associations and branches affiliated to the BBKA. It does not matter whether your organisation is a charity or not for this cover. The amount covered is £2,000,000, with no applicable excess.

In order to be covered by the BBKA 'Trustees Liability' insurance, Association and branch officials must be a member of the BBKA (registered, partner, country or honorary). If a member serves as an officer for more than one Association or branch, he/she only needs to be a BBKA member of one of them.

18. Are Area Associations and branches covered for Public Liability Insurance if we want to hire a hall for a beekeeping meeting/training or attend a public event such as a local show?

Yes, up to a limit of £10 million. Associations that are registered charities or CIOs, although legal entities in their own right, are still covered.

19. If non-members were to break into a teaching apiary and be seriously injured by the bees is the association covered for any claim?

Yes, there would be full cover. If they put a claim in against the BBKA Local Association/Individual member/BBKA itself, insurers would either:-

- 1) Defend you if there had been no breach of a duty of care, or:-
- 2) If there had, then negotiate compensation on your behalf and pay it out, along with any legal costs.

It would be just the same for a non-teaching apiary.

20. In common with most associations we provide tea/coffee, cakes, biscuits and even sandwiches for our attendees at our meetings. Are we covered by Public Liability Insurance for this?

Yes, there is full cover. As they are provided, not sold and to BBKA Members and visitors, there is Public & Products liability cover in force.

21. Sometimes we sell refreshments such as tea/coffee, cakes, biscuits, sandwiches etc at our events that the public attend to raise funds. Are we covered by Public Liability Insurance for this?

Cover under products liability is restricted to the sale of Primary Hive products, so cover in this area is restricted to items under this category.