

Risk Management for Volunteer Programs



PHILADELPHIA
INSURANCE COMPANIES

A Member of the Tokio Marine Group



Flood and Peterson

Goal of Risk Management

- Protect participants from harm
- Offer safe working conditions for employees & volunteers
- Enable organization to accomplish its mission

The Right Risk, Not Less Risk

- Risk is necessary to mission fulfillment
- Take more, not less risk
- Avoid risks that bring no benefit

Why your Organization needs “Volunteer” Risk Management


- A poorly screened and implemented volunteer = huge liability affecting financial resources and reputational risk;
- Volunteers may be highly visible and close client interaction;
- Your General Liability policy is involved as they are not your employees, but may be considered employees for vehicle liability coverage as authorized thru organization.
- Legal ramifications of Volunteers and Volunteering (breach of duty/ tort law):
 - D&O exposure
 - Professional acting as Volunteers – higher standard
 - Pure volunteers and mandatory volunteers

Volunteer Liability Claims

- Case one- A volunteer, as part of his or her duties, transports clients or other volunteers in their own personal car. On the way to their destination, they are involved in an auto accident and they are held at fault. The passengers in the car sustain injuries. The organization then discovers that the volunteer was driving with a suspended license and had no insurance;
- Is the organization liable under their auto policy? Generally the answer will be yes if you have purchased an auto liability insurance policy.
- Even if the Volunteer has their own policy, it may exclude “business” activities such as volunteering. In the case above, the Organization failed to run Motor Vehicle Record, check the driver’s license and require proof of insurance, thus opening the Organization up to litigation.

Agreement & Waiver

- Volunteers should always sign an agreement and release from liability. This document sets down in writing the organization “rules” and helps defend the Organization from liability in the event that the volunteer is injured, or involved in a traffic accident while performing on behalf of the Organization. Sample:

	Philadelphia Indemnity Insurance Company One Bala Plaza, Suite 100, Bala Cynwyd, PA 19004	Page 1 of 1 8/2004
Volunteer Agreement and Release from Liability		
In Signing this form, I understand and agree to the following terms and conditions related to volunteering my services to _____ <small>(Please keep a copy of this form within each volunteers file for future reference)</small>		
Volunteers Name: _____	<input type="checkbox"/> Male	<input type="checkbox"/> Female
I recognize that, as a volunteer I represent the above organization to the public. I accept the responsibility for this status and will conduct myself in a professional manner. I will be clean and sober when conducting business as a representative of this organization.		
I will not participate in and will report any and all instances of any sort of harassment, exploitation, and or intimidation. I will work to maintain an atmosphere of physical and emotional safety for everyone associated with the organization: (employees, volunteers, clients and visitors).		
I agree to maintain the confidentiality of all volunteers, clients, and donors about whom I have personal and identifying information. Please initial here: _____.		
I agree to honor the commitment length and frequency of service that I make to the organization. I agree to provide as much advance notice as is possible in the event that I will be absent from my volunteer shift. I agree to update my personal information and emergency information as changes occur. Please initial here: _____.		
I am aware that as a volunteer I expose myself to potential hazards which include but are not limited to: kitchen accidents, cuts, burns, back injury from lifting, car accidents, property damage or injury to others in car accidents, falls, muggings, etc. Potential hazards have been explained to me. I am voluntarily participating in this service with the knowledge of the potential hazards involved and hereby agree to accept any and all risks of injury. Please initial here: _____.		

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Develop “Volunteer Policies and Code of Conduct”

- Are there any foreseeable risks involved with the volunteer program/agency as a whole?
- Can these risks be minimized? How?
- Would a policy bring clarity to a particular issue, such as expectations of volunteers or staff and volunteer roles?
- Are there unwritten assumptions or values that should be expressed in policy, for clarity?
- Is there an action plan and/or timeline, for developing and implementing policies?
- How will volunteer input be used when defining policy?
- If volunteers sign confidentiality statements, are they clear and understandable?
- Are training and safety policies introduced, outlined and practiced?

Develop “Volunteer” Job descriptions:

- A job description is prepared for committee chairs, committee members with specific jobs, and other volunteer positions as needed.
- Ideally, a job description is provided to the prospective volunteer before he/she is asked to make a commitment.

Volunteers who drive on behalf of the Organization

- Volunteers who may drive on behalf of your Organization may also create an exposure.
- For these volunteers, you must verify that they hold a current drivers license and carry adequate insurance as well as proof via the MVR that they are a safe driver. Driver Selection, Review of MVRs, driver training and testing.
- Most insurance professionals would agree for the average driver the best liability limits to have:
 - 100,000 per person for bodily injury
 - 300,000 per accident for bodily injury
 - 100,000 per accident for property damage
- It is always best to keep photocopies of both the valid driver's license and proof on insurance on file. Sometimes, their insurance may exclude “business” activities such as volunteering.

Risk Management Portal

PHLY policyholders can now build a customized risk management plan and policies specifically designed for non-profit and for-profit entities. PHLY is partnering with the [Nonprofit Risk Management Center](#) to offer this complimentary service. Watch this 90 second video to learn more.

One factor that does seem to be an indicator of an increased risk of accidents is that a motor vehicle accident is more likely to occur when the driver is driving an unfamiliar vehicle—an indication that volunteer drivers driving their own cars may be less risky than asking a volunteer to drive an unfamiliar van filled with children for a field trip.

What Insurance Applies When Volunteers Drive Their Own Cars?

Non-owned Auto Liability Insurance



- It is important to note that volunteer drivers, while using their own cars, will be covered initially by their own personal auto insurance. A volunteer's personal auto insurance for his/her own car will cover anyone named in a lawsuit arising out of the use of the personal auto, therefore, the Organization may also initially be covered by the volunteer driver's policy.
- If a catastrophic injury occur, damages may exceed driver personal limits and the organization is exposed.
- Organizations should not assume the volunteer driver has adequate insurance (state laws may limit volunteer liability but not when driving).
- Non-owned auto coverage can cover the organization if the volunteer driver's personal auto policy has lapsed or been cancelled and covers the liability for accidents caused by employee or volunteer driving their vehicle on behalf of the organization (protecting the organization).
- Additional insured endorsement may apply – excess of volunteer's policy.

Screening Volunteer Drivers

Essential functions and scope:

- Passenger transport – children, vulnerable adults, etc – no passengers, multiple clients;
- Stringent screening, background checking, supervision;
- Identification of Driving Program coordinator, supervisor, fleet manager;
- Enforcement of policies and procedures;
- Training, evaluation review, disciplinary actions, emergencies, weather condition review;
- Development of guidelines for conduct
- Communication and education of volunteers about their insurance coverage and limitations with broker/agent and insurance carrier assistance and expertise.

- Insurance brokers/agents
- Insurance carriers
- Websites
 - Nonprofit Risk Management Center
www.nonprofitrisk.org
 - Public Entity Risk Institute (PERI)
www.primacentralorg/peri

Vendor Resources



IntelliCorp³ offers innovative employment verification and screening services, including background checks (criminal, prior employment, education), MVRs, drug screens, and more.



Through the **WEMED Loss Assistance Hotline¹**, policyholders receive two free hours of legal consultation per inquiry on any matter that could potentially result in a claim under your PHLY Management and Professional Liability policy.



In2vate¹ provides online, risk management services to aid in employment practices liability practices: sexual harassment, discrimination, hiring and abuse prevention training and tools.



SafetyFirst¹, named "Best in Class" for fleet safety solutions, provides a pro-active, driver monitoring program through 1-800 bumper stickers, follow-up consultation, and case management.



Teletrac² offers vehicle telematics solutions for all sizes of fleets, with no up-front equipment or installation charges. PHLY customers can qualify for a free, 90-day trial.



ABUSEPREVENTIONSYSTEMS

Abuse Prevention Systems² provides turn-key, risk reduction solutions to child sexual abuse, including training, policies and procedures, and consultation available online and through PHLY sponsored seminars.



The **ALICE Training Institute²** trains and provides strategies for surviving an armed intruder event; ALICE is supported by educators and law enforcement nationwide as their new standard of care. Services are available online, onsite, and through PHLY sponsored seminars.



The **Nonprofit Risk Management Center's³** Affiliates Program offers practical risk management resources, including webinars, unlimited consultation, and discounted template programs, training, and materials.



Safe-Wise² conducts risk assessments and safety consultation for youth serving organizations; expertise includes aquatic safety, child abuse prevention, participant safety, and asset protection.



The **eRisk Hub¹** web portal brings cyber security tools and resources to you, including an incident roadmap, risk manager tools (including a self-assessment and state breach notification laws), a learning center for best-practices, a news center, and eRisk resources to locate external experts.



CardioReady³ provides cardiac readiness audits, certification services, AED/CPR training, and AED equipment to purchase for YMCAs, health clubs, and general business sites.



SteadyCare³ is a subscription call-in service that monitors your overnight staff to ensure that they are awake and responding to the needs of your clients effectively.

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Practical Risk Resources for Your Nonprofit



POLICIES

*My Risk
Management Policies*



PLAN

*My Risk
Management Plan*



ASSESSMENT

*My Risk
Assessment*

What Is A Risk Management Plan?

A risk management plan is a resource for leaders and managers in an organization that explains the organization's philosophy about risk and outlines its risk management priorities and strategies. Since every organization is different and faces unique challenges and opportunities, your risk management plan should be customized to match your culture, resources and needs.

To begin the process of creating a *Risk Management Plan* for your organization, click on the **My Plan** link in the navigation bar above.

Risk Resources

**Additional PHLIY Risk
Resources are just a click away**

- ▶ **My Risk Management Policies**
- ▶ **My Risk Assessment**

Library

DRIVERS TRAINING	5
Decision Driving@:	5
Defensive Drivers Training	5
Distracted Driver	5
Defensive Driving for School Bus Drivers	5
Driver Awareness: 15 Passenger Van Safety	5
School Bus Driver - Positively in Control.....	5
DOT: Driver Qualifications	5
DOT: Driver Wellness	5
DOT: Drug & Alcohol Testing	6
DOT: Pre & Post Trip Inspection	6
Road Rage	6
Winter Driving	6
 EMPLOYMENT PRACTICES	 6
Sexual Harassment Part 1 – Understanding & Preventing Sexual Harassment	6
Sexual Harassment Part 2 – What Supervisors Need to Know	7
Workplace Violence: Prevent the Threat	7
 GENERAL SAFETY TOPICS	 7
*AIICE Training: Alert, Lockdown, Inform, Counter, and Evacuate training protocols for violent events.....	7
*AIICE K-12 School Violence Training	7
(*AIICE training is a limited time offering to the first 2,000 individual registrations)	
Back Injury Prevention	7
Bloodborne Pathogens - English	7
Bloodborne Pathogens - Spanish	7
Fire Protection & Prevention	7
Food Allergens	8
Food Safety and Sanitation	8
Hazard Communication: Erase the Mystery	8
Hot Work Permit	8
Introduction to Child Abuse Awareness	8
Slips, Trips & Falls	8

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Risk Management Services Program

Have a Question? Call 877-438-7459

- ▶ Abuse Prevention Resources
- ▶ Background Checks: Intellicorp
- ▶ Commercial Auto Support Resources
- ▶ Violent Intruder / Workplace Violence Resources
- ▶ Crisis Prevention Institute Partnership
- ▶ Respond to Recommendation(s)
- ▶ Request Boiler / Machinery Inspection
- ▶ SmarterNow Learning Management System
- ▶ In2vate Risk Management

What? An LMS and knowledge library

Philadelphia Insurance Companies pays for insured to use selected trainings and resources in the in2vate program. The PIC in2vate platform is specifically designed for PIC insureds and is available at no additional cost. The program combines state of the art web-based delivery of training materials, an online library of resources, sample employment policies and forms, and much more.

Employment Practices Best Practices Knowledge Base

- HR Assessments
- Sample Employment Handbook
- Sample Employment Forms
- Links to Workplace-related Websites
- Library of Awareness Articles
- Smarter Adults Safer Children Information Library
- Online Trainings "Harassment Prevention" Online Training Course (in English and Spanish)
- "California Harassment Prevention" online training course (in English and Spanish)
- "Employment Discrimination" Online Training Course
- "Smart Hiring" Online Training Course
- "Preventing Child Sexual Abuse" Online Training Course

(Note: we also offer sexual harassment training & similar on the SmarterNow! LMS)

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eRisk Hub from Net Diligence – Cyber Liability Risk Management



What?

- **Incident Roadmap** – includes suggested steps to take following a network or data breach incident, free consultation with a breach coach and access to a breach response team.
- **News Center** – cyber risk stories, security and compliance blogs, security news, risk management events and helpful industry links
- **Learning Center** – best-practices articles, white papers and webinars from leading technical and legal practitioners
- **Risk Manager Tools** – assists you in managing your cyber risk including a self assessment and state breach notification laws
- **eRisk Resources** – a directory to quickly find external resources with expertise in pre- and post-breach disciplines

Cyber Security Liability clients receive a user name and password to access eRisk Hub:

About ALICE

ALICE - Alert, Lockdown, Inform, Counter, Evacuate – is a set of proactive strategies that moves beyond lockdown and increases the chance of survival during a violent intruder event.

ALICE at a Glance:

- > *First to market* in 2001 with proactive, options-based violent intruder workplace training
- > *Nationally recognized* blended certification training
- > *Adopted by over 50,000* K-12 Schools, Universities, F1000 Companies, Government Agencies & Non-profits

Thank you!

- Questions/Discussion

“We must have courage to bet on our ideas, to take the calculated risk, and to act”

Maxwell Maltz