

Policy Name:	Insurance Coverage Policy		
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Chapter	4, Insurance Coverage Policy	Responsible Office:	Office of Finance and Administration
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Policy Statement

NSCAD University maintains insurance policies in several categories to protect its employees, students and volunteers. All those conducting business on behalf of NSCAD University must abide by this policy.

Reason for Policy

Insurance coverage is an important risk management activity for the University. This policy outlines the financial protection afforded to the University and its employees, Board of Governors, students, volunteers, and other authorized entities while acting on behalf of the University and in good faith.

Policy Applies to

- All Departments and Divisions of the University

Who Should Read this Policy

- All members of the University community
- Board of Governors

Contacts

Approval authority: Board of Governors, Finance and Physical Resources Committee c/o Governance Office, (902) 494-8168, governance@nscad.ca, nscad.ca/policy

Detail on policy meanings and application: Office of Finance and Administration, (902) 494-8219

Definitions

CURIE: Canadian Universities Reciprocal Insurance Exchange

Insured Person: A person identified in an insurance policy as being covered by the insurance provided. Generally speaking this would include: Those acting on behalf of the University including any current officer, director, governor, employee, visiting artist/scholar, guest lecturer or volunteer.

Students currently enrolled, while performing any duty or activity which is considered part of their studies or sanctioned activities connected with the University.

- Volunteer:** An individual who is registered with the University as a volunteer for a specified activity and specified timeframe and has completed a PERSONS ON NON-EMPLOYEE WORKING STATUS (VOLUNTEERS) Form.
- Emergency Procedures:** Refer to the Crises Management Policy
- Employee:** A person who holds a valid employment contract with NSCAD University, and if unionized, in accordance with the terms of a collective agreement.
- University premises:** Generally defined as the Fountain Campus, Academy Campus and Port Campus.
- Sanctioned events and activities:** Events and activities expressly approved or under the supervision of the Vice-President, Finance and Administration, Vice-President, Academic and Research, Associate Vice-President, University Relations or President which are considered as beneficial to the University.

The Policy

1. Principles

- 1.1. Even with the utmost care, some risks are inherent in the operation of the University. The University's health, safety, and security programs are essential for reducing the risks of accidental injury to people and damage to property.
- 1.2. Insured persons performing their normal responsibilities in good faith and within the scope of their employment, volunteer work or other authorized University activities will be defended and indemnified by the University against legal actions brought by third parties as outlined in the various insurance policies held by the University. Such legal actions may concern bodily injury, personal injury (e.g. libel or slander), damage to the property of others, or by error or omission causing financial loss to the third party.
- 1.3. This policy does not address Travel, Health or Disability insurance that would be covered through employment at NSCAD University or through the purchase of Student Union provided Health Insurance products.
- 1.4. This policy does not attempt to describe the terms and conditions of all types of coverage, but rather provides a convenient reference on questions of risk management, liability coverage, accident claims, property insurance, and accident programs.
- 1.5. Exclusions
 - 1.5.1. Items specifically excluded according to insurance policies exclusions terms will not be insured.
 - 1.5.2. Any other activities of non-insured persons on University premises, including events held on University property not sanctioned or approved by the University.

1.5.3. The University may choose not to defend or indemnify an insured person against legal actions arising from activities including but not limited to the activities described below:

- 1.5.3.1. Arising from outside professional activities not expressly sanctioned and approved by the University;
- 1.5.3.2. If the insured person has not acted in good faith, such as having inflicted intentional or willful injury to others or damage to property; committed acts of fraud, dishonesty, criminal activity, harassment, sexual harassment, or discrimination on a ground that is prohibited under The Nova Scotia Human Rights Code.

1.6. This policy is intended to be complementary to other policies and collective agreements governing the conduct of faculty and staff. In situations where this policy may be in conflict with Collective Agreements, the Collective Agreements shall prevail.

2. Responsibilities

2.1. The Vice-President, Finance and Administration and designate, the Controller, maintains insurance coverage, consistent with other Universities, to assist in managing risks. The Vice-President, Finance and Administration oversees the overall relationship with the insurer.

2.2. The Controller is responsible to:

- 2.2.1. Keep the Vice-President, Finance and Administration informed of insurance-related issues;
- 2.2.2. Negotiate appropriate insurance coverage to manage the University's risks and ensure coverage is maintained as required;
- 2.2.3. Review insurance coverage and propose insurance products to the Vice-President, Finance and Administration;
- 2.2.4. Provide regular reporting to the insurer, including the reporting of University sanctioned events and activities that require notification;
- 2.2.5. Act as the initiator for any claims process;
- 2.2.6. Monitor risk and assist individuals or departments in ensuring adequate insurance coverage and using risk mitigation strategies. This would include but not limited to activities such as:
 - 2.2.6.1. Class trips and off-campus events;
 - 2.2.6.2. Events held on campus by external parties
 - 2.2.6.3. Use of non-owned automobiles

2.3. The Vice-President, Academic and Research, the Associate Vice-President, University Relations, the Associate Vice-President, Student Experience are responsible to:

- 2.3.1 Monitor risks within their respective portfolios and ensure individuals and/or departments are verifying with the Controller that there is adequate insurance coverage in place.
- 2.3.2 Monitor risks within their respective portfolios and assist individuals and/or departments in establishing risk mitigation strategies. This would include but not limited to activities such as:
 - 2.3.1.1. Class trips and off-campus events;
 - 2.3.1.2. Events held on campus by external parties;
 - 2.3.1.3. Use of non-owned automobiles;
 - 2.3.1.4. On campus student events, including children's camps;
 - 2.3.1.5. Use of studio equipment.

- 2.4. Members of the University community are responsible to:
 - 2.4.1. Conduct themselves in a reasonably prudent manner to limit the chance of accident, injury or property damage;
 - 2.4.2. Report in writing all planned events to the Associate Vice-President, University Relations, Associate Vice-President, Student Experience, Vice-President, Academic and Research, Controller or Vice-President, Finance and Administration to ensure that the appropriate processes and insurance coverage is in place.
 - 2.4.3. Report in writing any issues that could lead to an accident, injury or property damage, availing themselves of NSCAD's Safe Disclosure Policy if needed;
 - 2.4.4. Take steps to understand and mitigate risks whenever possible;
 - 2.4.5. Report in writing claims, accidents, injuries or property damage as quickly as possible.
- 2.5. University Events, Meetings, Conferences, Symposiums, etc.
 - 2.5.1. University sanctioned events are covered by NSCAD's General Liability Insurance Policy.
 - 2.5.2. Events organized by external parties on NSCAD property are typically not covered and are required to provide proof of insurance, if they cannot provide proof of insurance NSCAD may be able to arrange coverage for a fee.
 - 2.5.3. Events organized by NSCAD employees and/or students where the majority of the participants are non-insured persons are not covered by NSCAD's insurance policies and specific arrangements must be made in advance with the Controller to ensure the event is insured.

3. CURIE Insurance Policies

- 3.1. CURIE is an insurance reciprocal arrangement that is owned by approximately 60 Canadian universities, including NSCAD University. The universities pay premiums and CURIE pays claims up to a certain dollar value with larger claims being reinsured through large international reinsurance organizations.
- 3.2. Insurance policies held through CURIE include the General Liability Insurance Policy, Educational Institutions Errors and Omissions Liability Insurance Policy and the Property Insurance Policy.
- 3.3. General Liability Insurance Policy
 - 3.3.1. The General Liability policy provides general liability coverage for the University. Insured persons identified by this policy include "any officer, director, governor or member of the directing or governing body, employee, shareholder or volunteer while acting on behalf of the Insured or any former officer, director, governor or member of the directing or governing body, employee, shareholder or volunteer with respect to acts performed on behalf of the Insured in that capacity" and "students while performing any duty which is considered regular or extraordinary studies or recreational activities connected with the Named Insured." The liability policies have a zero deductible.
 - 3.3.2. Liability insurance coverage can be void if the insurer is not notified immediately once the University is aware of a liability claim or possible claim. It is imperative that any possible claims be reported immediately to Financial Services (see "Reporting a loss/insurance claim" section below).
 - 3.3.3. NSCAD University's liability insurance generally provides coverage to employees for the period they are being paid by the University while on University premises. According to NSCAD's liability insurer, if an employee is not being paid by the University, activities to 'keep current' or 'contributing to teaching' are not considered to be "acts performed on behalf of the university in their capacity as employees".

- 3.3.4. To fulfill their teaching responsibilities (e.g. equipment, material, and literature familiarization and student meetings) RPT faculty members, ICA's and Sessionals are able to access NSCAD facilities for one (1) month prior to and one (1) month following their teaching semesters. NSCAD University's liability insurance will provide coverage for the above period if the activities performed are required by the University as preparation for or follow-up related to the associated teaching assignment. If more time is required for academic activities associated with the teaching assignment beyond the period outlined above, the individual must make a request in writing to the Vice-President, Academic and Research so as to ensure that the appropriate documentation is on file in the event of a liability insurance claim.
- 3.4. Educational Institutions Errors and Omissions Liability Insurance Policy
 - 3.4.1. The Errors and Omissions policy provides more specific Errors and Omissions liability coverage to the University.
 - 3.4.2. Insured persons for this policy are the same as noted above for the General Liability policy.
- 3.5. Property Insurance Policy
 - 3.5.1. The Property Insurance policy provides replacement cost coverage for University owned assets and assets of other entities which are placed in the care and control of the University.
 - 3.5.2. The policy does not cover:
 - 3.5.2.1. Personal possessions of employees, students or other individuals; or,
 - 3.5.2.2. "Mysterious disappearance" of assets. There must be evidence of theft, break-in or similar proof of loss before the policy applies.
- 3.6. CURIE Certificates of Insurance
 - 3.6.1. In order for the University to be able to engage in certain activities and sign certain contracts, proof of insurance may be requested from an outside party. To prove that the University has adequate insurance, the University must provide a Certificate of Insurance. To obtain a Certificate of Insurance, contact the Controller or Office of Finance and Administration.
4. Specific Insurance Policies
 - 4.1. In addition to the CURIE policies, several other insurance policies are carried by the University to cover specific risks not covered by the CURIE policies including, but not limited to:
 - 4.1.1. Boiler and machinery insurance
 - 4.1.2. Catastrophic accident insurance
 - 4.1.3. Fine arts insurance
 - 4.1.4. Owned and non-owned auto insurance
 - 4.1.5. Commercial package insurance (computer comprehensive and crime)
 - 4.2. An insurance broker is retained to tender these policies annually. Their advice is utilized to obtain the optimum combination of coverage, deductibles and premiums.
5. Vehicle Insurance
 - 5.1. Insured persons for this policy include any officer, director, governor, employee or volunteer while acting on behalf of the University and students while performing any duty which is considered regular activities connected with the University.

- 5.2. The University carries collision and liability insurance for all owned automobiles. An approved list of drivers is maintained by the Office of Facilities Management.
 - 5.3. The University carries liability insurance only for non-owned automobiles.
 - 5.4. Employees driving privately owned vehicles while on University business must ensure that all required automobile insurance is obtained from their own insurer. Under no circumstances will the University accept responsibility of liability for claims arising from such use and the University's insurance policies do not provide coverage for employees using their privately owned vehicles for University business. An additional premium for business use may apply and any costs for this premium or losses arising from personal vehicle use (i.e., damage deductible, loss of personal effects, increased premiums due to accidents while on University business, etc.) will not be separately reimbursed as they are considered an operating cost reimbursed using the standard kilometric rate.
 - 5.5. NSCAD University's non-owned automobile policy protects the University if it gets named in a lawsuit when an employee uses their personal vehicle for business of the University. This coverage provides protection for the University and not for the employee using their personal vehicle for business.
 - 5.6. When an insured person rents a vehicle, the rental company's insurance coverage for Collision Damage Waiver (CDW) should be accepted and Liability Coverage should be declined.
 - 5.7. If the rental vehicle is paid for with the University's Visa credit card by an authorized cardholder and such cardholder will be the primary driver, then CDW coverage may be waived. If any other drivers will be driving the rental vehicle then CDW coverage must be accepted.
 - 5.8. In order for drivers to receive coverage under any of the above vehicle policies, they must have a valid driver's license for the type of vehicle being operated. If a vehicle is operated without the proper license, there will be no insurance coverage, the driver would be personally liable for any damages, and the driver could be subject to discipline for violating the law.
 - 5.9. If someone is operating a vehicle on behalf of the University (owned, CVA, rented, or personal), and they have their license suspended or restricted, they must let their direct supervisor know immediately. Failure to do so results in no insurance coverage, as listed above, and may lead to disciplinary action.
6. Activities requiring reporting to the Controller for a risk assessment:
 - 6.1. Class trips and off-campus events
 - 6.1.1. Such events must be performed or supervised by NSCAD faculty or staff.
 - 6.1.2. Details on such events must be communicated in writing to the Controller at least ten (10) business days before the trip or event. This allows adequate time to perform a risk assessment and ensure appropriate insurance is in place. Details must include the date; the estimated number of attendees; whether a liquor license is being sought; the specific address of the event (if outdoors, provide the best description possible); the contact name, address, email and fax of the owners of the off-campus venue.

- 6.1.3. The Controller will confirm the type of insurance to obtain, if any, and whether the trip must be reported to the insurer. The Controller will also obtain appropriate liability insurance certificates for off-campus events.
- 6.2 Events organized on University property by a party external to the University
- 6.3 Events held on University property, not pre-reported to CURIE as University sanctioned events, where the majority of the participants are not current employees or students of NSCAD
- 6.4 Use on non-owned automobiles
- 7 Reporting a Loss/Insurance Claim Processes
 - 7.1 Insured persons are not authorized to make a statement assigning responsibility for an incident. This will be determined following an internal investigation or, in more serious cases, by insurance adjusters and legal counsel. Insured persons are expected to cooperate fully with such investigations. As such, in the event of an accident, the insured person is to make no statements regarding blame or culpability.
 - 7.2 Please refer to the University's Crisis Management Plan
 - 7.3 Generally speaking the procedures to be followed in the event of a loss to the University are as follows:
 - 7.3.1 Fire
 - 7.3.1.1 Call 911 and notify the Fire Department and City Police immediately.
 - 7.3.1.2 Call University Security at 902-492-8778.
 - 7.3.1.3 University Security notifies Facilities Management who then documents all the facts and observations of the incident and send a copy to the Office of Finance and Administration for use in the insurance claim process.
 - 7.3.2 Theft, Break-In, Vandalism
 - 7.3.2.1 If it is an incident in progress or if there are injuries or loss of life, call 911 immediately.
 - 7.3.2.2 Call University Security at 902-492-8778.
 - 7.3.2.3 Do not touch or move anything until University Security and the Police (if they were contacted) complete their investigation(s).
 - 7.3.2.4 University Security notifies appropriate Facilities Management who then documents all the facts and observations of the incident and send a copy to the Office of Finance and Administration for use in the insurance claim process.
 - 7.3.3 Property damage from flooding, accidents etc.
 - 7.3.3.1 If there are injuries or loss of life, call 911 immediately.
 - 7.3.3.2 Call University Security at 902-492-8778
 - 7.3.3.3 Call Facilities Management at 902-492-8778.
 - 7.3.3.4 Do not touch or move anything until University Security and the Police (if they were contacted) complete their investigation(s).
 - 7.3.3.5 University Security notifies appropriate Facilities Management who then documents all the facts and observations of the incident and send a copy to the Office of Finance and Administration for use in the insurance claim process
 - 7.3.4 Accidents causing bodily injury
 - 7.3.4.1 If there is serious injury or loss of life, call 911 immediately.

- 7.3.4.2 Call University Security at 902-492-8778.
- 7.3.4.3 Do not move a seriously injured person unless it is life-threatening situation.
- 7.3.4.4 University Security notifies appropriate Facilities Management who then documents all the facts and observations of the incident and sends a copy to the Office of Finance and Administration for use in the insurance claim process.

8 Compliance

- 8.1 Failure to comply with this policy may result in disciplinary action, up to and including termination, in accordance with the relevant collective agreement or employment guidelines. NSCAD also retains the right to pursue any action, including criminal prosecution and civil remedies, when misuse of its information or resources is suspected either during the course of employment or after the termination of employment.

Forms and Tools

NSCAD UNIVERSITY Emergency Procedures –

http://nscad.ca/site-nscad/media/nscad/NSCAD_Emergency_Procedures.pdf

NSCAD Safe Disclosure Policy

http://nscad.ca/site-nscad/media/nscad/SAFE_DISCLOSURE_FINAL_Reformat_June_2015.pdf

7.5 External Booking of Universities Facilities Policy –

http://nscad.ca/site-nscad/media/nscad/UR_ExternalSpacePolicy.pdf

NSCAD Crisis Management Plan –

<http://nscad.ca/site-nscad/media/nscad/CrisisManagementPlan.pdf>

Insurance Coverage Policy http://nscad.ca/site-nscad/media/nscad/FIN_InsurancePolicy.pdf