



## Insurance Claims

This guideline sets out the procedures to follow under RCA's general liability policy, when there is a claim or when there is an incident that could give rise to a claim, and when making a claim under the accident policy.

### Liability policy

It is a condition of our liability insurance policy that we notify our insurers of all claims and all occurrences that could result in a claim.

An incident report form that should be used for this purpose can be downloaded here: [Incident Claim Form \(pdf\)](#)

When there is an incident involving personal injury or property damage it is important not to discount the possibility of a claim because the injury appears slight or because the fault may lie with the person injured. To protect the interests of our insurers err on the side of caution and report the incident if there is the remotest chance of a claim.

Actions must be taken in a way that protects the interests of those involved and our insurers. Therefore it is extremely important that the following procedures be followed meticulously.

1. Any claim or accident or occurrence that could give result in a claim for damages for injury or property damage against a rowing club, club members, employees, volunteers, regatta organizers or officials must be notified to the CEO of RCA as soon as practicable. There should be no delay in this notification. It is best made by telephone but can be by fax or email provided that the notifier is assured that the notification has been received.
2. It is the duty of the Club President (club activities) or Regatta Chairperson (regatta activities) to notify RCA of any claim or occurrence. They can delegate this responsibility but must ensure that RCA has been notified. They should report the nature of the incident and when and where it occurred. It is not the duty of the Club President or Regatta Chairperson or any other person to carry out an investigation into the occurrence. On notification RCA will seek advice from its lawyer and insurer, one or other of whom will issue directions for the taking of statements and assembly of essential written material.

3. The Club President or Regatta Chairperson or their delegate should obtain the names, addresses and telephone numbers of all those involved in the incident and witnesses to the incident and should instruct them not to discuss the matter or commit their recollections to writing until requested to do so by their lawyer, RCA's lawyer or our insurer's lawyer. All writings so requested should be prefaced by the words:

"This strictly confidential and privileged report is intended solely for submission to legal counsel in anticipation and contemplation of litigation and for purposes of obtaining legal advice."

Such reports should not be distributed to any other party than the lawyer making the request.

4. In the event of a claim or legal action, notification should include copies of any demands, notices, summonses or legal papers received.

5. Under the terms of our insurance policy all are expected to cooperate in the investigation into the circumstances of the occurrence, settlement or defence of any resulting claim or action and to assist in the enforcement of any right against any person or organization which may be liable to the insured because of injury or damage to which the insurance may also apply.

6. No voluntary payments can be made or any obligations assumed, or expenses incurred (other than for first aid) without the consent of our insurer.

### **Accident policy**

Forms for lodging a claim under the accident policy should be obtained from the RCA office:  
1.877.722.4769 ext. 2; [rca@rowingcanada.org](mailto:rca@rowingcanada.org).