

Insurance Coverage and Management of Claims Procedure

Section 1 - Purpose and Scope

- (1) The University of Queensland (UQ) maintains a portfolio of insurance arrangements to provide financial protection:
- from the financial impact of insurable risks on UQ assets; and
 - against liabilities arising from insurable risks for UQ and its staff, students and others who assist in the conduct of its business.
- (2) This Procedure outlines the framework for UQ's insurance arrangements. It applies to all UQ staff and students, as well as Affiliates and people other than staff and students who assist in the conduct of UQ business and are covered by UQ insurance arrangements (e.g. honorary appointees and volunteers).

Section 2 - Process and Key Controls

Risk Assessment and Management

- (3) Insurance does not substitute the implementation of robust risk management practices, including risk assessments, to be implemented in accordance with the [Enterprise Risk Management Framework Policy](#).
- (4) [Insurance Services](#), within the Governance and Risk Division, can provide guidance on potential uninsured exposures for the purpose of risk assessments undertaken by Organisational Units.
- (5) For assistance with risk assessments, contact [Enterprise Risk](#).

Insurance Management

- (6) Insurance Services manages UQ's insurance portfolio. All of UQ's insurance coverage is arranged through Insurance Services, except for workers' compensation for Queensland-based employees (which is administered by the Workplace Injury Management unit within the Health, Safety and Wellness Division of the Chief Operating Officer's portfolio).

Insurance Arrangements

- (7) All of UQ's insurance arrangements are subject to the terms, conditions, exclusions and limitations as expressed in the respective insurance policies. Nothing contained in this Procedure affects the force or scope of the insurance policies.
- (8) Details of UQ's insurance arrangements along with frequently requested certificates of currency are available from the [Insurance Services webpage](#).
- (9) Some risks are not covered by UQ's insurance. These can include unauthorised travel, student personal accident during sporting activities (which are not course related), liability for dishonest, fraudulent and criminal acts or

omissions, and contractually assumed liabilities. Some UQ entities and Affiliates may have additional insurance, e.g. to cover risks specific to them.

Notifying Potential Insurance Claims

(10) Staff and students must notify Insurance Services (insuranceclaims@uq.edu.au) of any event or circumstance that may lead to an insurance claim as soon as practicable. This could include an accident or injury, property damage, or an allegation of wrong doing made by a third party against UQ or a member of staff, student, or other person assisting in the conduct of UQ's business. Under no circumstances should any liability be admitted or agreement made with a third party. Staff and students must not discuss, negotiate or sign any agreement in the form or nature of, a deed of release, discharge or settlement of liability without specific advice from UQ Legal Services or lawyers appointed by UQ's insurers.

Making an Insurance Claim

(11) Claim documentation and processes are specific to the type of insurance. The claimant must complete the relevant form, include supporting and substantiating documentation and email to insuranceclaims@uq.edu.au. More detailed information about types of claims and processes for submitting a claim are available on the [Insurance Services webpage](#).

(12) The Organisational Unit should liaise with Insurance Services to determine the appropriate method (subject to the delegation framework) of paying for initial loss expenses, pending the processing of the insurance claim.

(13) If it appears that UQ may have a legal claim against a third party in respect of any loss that UQ has suffered or might suffer (for example because the party was involved in or responsible for the loss), the Organisational Unit should seek legal advice from UQ Legal Services.

(14) Organisational Units incurring the loss are expected to pay the applicable excess for any given insurance claim. In some circumstances, the excess or a portion of the excess may be paid from central budgets. For example, Insurance Services generally pays a significant part of a property claim excess. Insurance Services will advise the relevant Organisational Unit if a particular excess will be paid from central budgets.

Section 3 - Key Requirements

Contracts and Agreements

(15) Organisational Units regularly negotiate contracts or agreements on behalf of UQ with counter-parties for the supply by UQ or acquisition by UQ of goods or services. Most counter parties will require UQ to have insurance for the activity or provide indemnities for any losses or legal claims that might arise against them as a result of UQ's activity.

(16) Organisational Units must ensure contracts or agreements are only entered in accordance with UQ's [Financial and Contract Sub-delegations Procedure](#), and are within UQ's risk appetite where they include activities, events or potential liabilities or other requirements that are not covered by the terms of UQ's insurance or otherwise exceed UQ's insurance cover. Staff can refer to the relevant certificate of currency or contact Insurance Services (insurance@uq.edu.au) for advice on UQ's insurance coverage levels and potential uninsured exposures.

(17) Should an insurance claim arise, the Organisational Unit may need to pay the applicable excess and fund any shortfall over UQ's insurance coverage.

(18) When required, Organisational Units should seek advice from UQ Legal Services, Insurance Services and/or Enterprise Risk Services.

Hiring Consultants and Contractors

(19) External consultants and contractors engaged by UQ are not usually covered by UQ insurance and should hold their own policies, in particular public liability insurance and professional indemnity insurance.

(20) [UQ's Standard Agreements](#) detail the types and amounts of insurance requested to be provided by consultants and contractors.

(21) For larger projects and contracts, the level of coverage should be considered after the Organisational Unit has assessed the risk to UQ should an incident occur as a result of the consultant's or contractor's work, acts or omissions and increased where appropriate and reasonably available in the insurance market.

(22) Where the consultant is unable to provide the requested level of coverage, the Organisational Unit must undertake a risk assessment to determine whether the insurance position of the counterparty represents an acceptable risk. This assessment should consider the types and values of claim that might arise, their likelihood of arising, and the extent to which any counterparty insurance would respond to such a claim. In addition, changes to UQ's standard contract terms and conditions (including to insurance amounts), require the appropriate sub-delegate to approve or sign off as per the [Schedule of Contract Delegations and Sub-delegations](#).

(23) Organisational Units must obtain and retain copies of the certificates of currency for the consultant's or contractor's insurance policies. This is a standard step in UQ's due diligence and contract administration.

Section 4 - Roles, Responsibilities and Accountabilities

Insurance Services

(24) The role of Insurance Services includes:

- a. Management of the annual renewal of all policies, including the co-ordination of the collection of required data from all UQ Organisational Units;
- b. Making recommendations to UQ management as to the nature and extent of the insurance program which UQ should hold;
- c. Managing and purchasing all UQ insurance policies (excluding workers' compensation insurance for Queensland-based employees of UQ);
- d. Maintaining a register of insurance arrangements including:
 - i. the name of the insurance company;
 - ii. a description of the risk insured; and
 - iii. the commencement and expiry dates of the policy.
- e. Providing management reporting as to the effectiveness and performance of UQ's insurance program;
- f. Maintaining a website to provide information and resources to assist UQ staff, students and others with insurance processes and enquiries;
- g. Ensuring UQ and its staff and students, based on information they provide to Insurance Services, have appropriate levels of insurance coverage for the diverse range of activities undertaken, and arrange additional coverage as required and available;
- h. Providing interpretation and advice to staff and students regarding UQ insurance policies (excluding private insurance);
- i. Insurance claim management; and

- j. Working with Organisational Units and UQ's broker/insurers (as required) to provide advice about the potential uninsured exposures associated with new projects (including research projects), contracts, activities and other proposals.

Heads of Organisational Units

(25) Heads of Organisational Units are responsible for:

- a. Managing the Organisational Unit's operations including all insured assets under their control;
- b. Ensuring that Insurance Services is appropriately consulted in relation to uninsured exposures that may arise from new projects (including research projects), contracts, activities and other proposals;
- c. Providing information about the operation and structure of the Organisational Unit as required to be submitted to UQ's insurers and brokers on an annual basis to renew UQ's insurance policies;
- d. Notifying Insurance Services (insuranceclaims@uq.edu.au) outside of the annual renewal process of:
 - i. new activities which are high risk and/or which are outside of UQ's previous scope of business;
 - ii. any loss or event which may trigger an insurance claim;
 - iii. property losses over AUD \$500;
 - iv. any anticipated or threatened legal action involving or against UQ; and
 - v. any loss which may arise from or have been caused by an offence or corrupt conduct.
- e. Co-operating with Insurance Services, UQ's insurance brokers and UQ's insurers in the investigation, assessment and payment of insurance claims, including recovery actions against third parties liable for the loss the subject of the claim; and
- f. Compliance with insurance policy conditions as advised by Insurance Services.

Section 5 - Monitoring, Review and Assurance

(26) Insurance Services maintains and monitors:

- a. A register of insurance arrangements;
- b. A directory of certificates of currency (current and prior 7 years) and policy schedules; and
- c. An insurance claims database.

(27) The Associate Director, Insurance Services is the Category Owner for all insurance policy purchases in accordance with UQ's [Procurement Policy](#).

(28) Insurance Services will review this Procedure as required to ensure its currency and relevance to the management of insurance at UQ.

Section 6 - Recording and Reporting

(29) Insurance Services' reporting responsibilities include:

- a. Annual reports to the University Senior Executive Team;
- b. Ad-hoc reports as requested by or beneficial to management; and
- c. Bi-annual insurable loss reports to the Auditor-General and the appropriate Minister.

Section 7 - Appendix

Definitions, Terms and Acronyms

(30) For the purposes of this Procedure:

Term	Definition
Affiliate	Any entity wholly or partly owned or controlled by UQ which has been accepted by the insurer as an insured at the request of UQ and specified as such in the Certificate of Entry or Policy/Protection Schedule.
Excess	The first amount payable by the claimant in the event of a loss, and is the uninsured portion of the loss; when a claim is submitted an excess may be payable (sometimes also referred to as a “deductible” or “retention” in insurance policies).
Exclusions	Property, risks, conditions or events that are not covered by the insurance contract; examples include criminal penalties (e.g. imprisonment) or certain civil penalties (e.g. some fines).
Liability	Any legally enforceable obligation (e.g. to pay monetary compensation).
Loss	A physical loss of property or a potential financial loss as a result of bodily injury or damage to property or a legal action against UQ.
Organisational Unit	Any Faculty, School, Institute, Centre or Division of UQ.
Staff	A current employee of UQ.
Student	A current, enrolled student of UQ.

Related legislation

(31) UQ manages its insurance portfolio in accordance with the following legislation:

- a. [Financial and Performance Management Standard 2019](#) (Qld).
- b. [Insurance Contracts Act 1984](#) (Cth).
- c. [Education \(Work Experience\) Act 1996](#) (Qld).
- d. [Workers' Compensation and Rehabilitation Act 2003](#) (Qld).

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