

RPA Cover Helpdesk Top Ten FAQ's

1. How do we access RPA Membership Documentation?

To access your Risk Protection Arrangement (RPA) 2023/24 certification please log in to DfE Sign-in as if you were joining the RPA and download your latest certificate. We have updated the RPA guidance page with new DfE Sign-in tutorial videos to assist you with access.

Your organisation's DfE Sign-in 'Approver' can grant you access to the RPA service, from here you will be able to download your school's RPA membership certificate.

Approvers please note, DfE Sign-in accounts must have the 'Online Collections Service - including Risk Protection Arrangements' assigned, however if you do not have the RPA role selected this will need to be added. Please access DfE Sign-in, Services, and select 'Online Collections Service - including Risk Protection Arrangements' then select 'Risk Protection Arrangement (RPA)' role.

Should your DfE Sign-in account have both the Online Collections Service - including Risk Protection Arrangements, and the RPA role assigned, but you are still unable to sign-up to the RPA, please clear all internet browsing history, including passwords and form data, then open a new browser and log back in to DfE Sign-in. Try again to access RPA from the Services header.

Should you continue to have access issues with DfE Sign-in in respect of RPA, please use the following link: <https://help.signin.education.gov.uk/contact-us> to report the issue.

The new RPA welcome packs contain all of the RPA contact details you'll require and we also have published RPA FAQ documents in your support.

Full details of what RPA covers are included in the published membership rules, which are also available via the [RPA guidance page](#).

2. How can I make a claim under RPA and is there any limit to the number of claims that I can make?

For all urgent incidents, excluding overseas travel and cyber, please call 03300 585566, a sample of what an urgent incident could be is listed below:

- Major injuries
- Serious assaults
- Fatality
- Allegations or knowledge of abuse
- Pollution incidents
- Media involvement
- **Cyber incidents**
- If you are in doubt whether something is serious

If such an event occurs then please dial the main contact number above, the facility provides for 24/7/365 coverage.

For overseas travel emergencies and incidents (including when in need of hospital treatment on an in-patient basis) please call +44(0) 20 3475 5031.

For cyber incidents, members should be contacting the Cyber Response Service: By telephone: 0800 368 6378 or by email: RPAREsponse@CyberClan.com

You will receive a guaranteed response within 15 minutes

For all other incidents, the online incident facility enables Members to access incident forms in a secure manner, meaning Members can notify new incidents 24 hours a day, 7 days a week.

To access the portal please click the following link: <https://www.rpaclaimforms.co.uk/>.

The Members Unique Reference Number (URN)/Membership Number and relevant contact details will be required to notify a claim.

If help is needed in gaining access to the portal Members can call the TopMark Claims Management on 03300 585566.

There is no limit on the number of claims that can be made, however a number of the cover sections are subject to aggregate limits per membership year. Once the limit has been breached no further claim can be made until the next membership year. The sections that are subject to aggregate limits are:

- Section 5, Governors Liability (£10,000,000, other inner limits apply as detailed in the Membership Rules)
- Section 6, Professional Indemnity (unlimited cover however inner limits apply for some elements of the cover as detailed in the Membership Rules)
- Section 7, Employee and Third Party Dishonesty (£500,000)
- Section 12, Legal Expenses (£100,000)
- Section 14, Cyber (£250,000 or £750,000 if part of a Group Network)

3. We have an organisation who hires our sports hall/ playing field / classroom, are they covered by our RPA cover?

To confirm, there is no requirement to notify RPA of individual hires or lettings.

The extension for Hirers Liability (Section 4 – Third Party Public Liability of the RPA Membership Rules) will provide indemnity to a person or group of individuals or an organisation who would not be expected to have their own public liability insurance, for example, it would not be the intention of the RPA to provide cover for liabilities of large groups or organisations who are hiring the premises such as a football/swimming club who should provide evidence of such insurances to the school. We would not expect groups of friends getting together to play a sport or families hiring the hall for functions to have their own Public Liability insurance. There is no specific list of what is or isn't covered as this is up to the school to decide.

The RPA will continue to indemnify the school for the schools legal liability to pay compensation for personal injury or damage to third party property arising out of the use of its facilities by third party organisations and that loss of or damage to school property will continue if being hired by an individual or group of individuals, subject to the Definitions, Extensions, Exclusions and Conditions of the membership rules including the member retention (excess), however please note that the RPA excludes damage or consequential loss caused by or consisting of theft or attempted theft by any person lawfully on the premises. Risk Assessments should be undertaken, recorded and adhered to.

4. A student is going on work experience at an organisation that doesn't have Employers Liability insurance; can we cover them via the RPA?

The RPA will only provide an indemnity where the school is legally liable to pay compensation to the pupil. The RPA will not indemnify any legal liability attaching to the employer.

All employers need employers' liability insurance unless they are exempt from the Employers' Liability (Compulsory Insurance) Act. The following employers are exempt:

- Most public organisations including government departments and agencies, local authorities, police authorities and nationalised industries;

- Health service bodies, including National Health Service trusts, health authorities, primary care trusts and Scottish health boards;
- Some other organisations which are financed through public funds, such as passenger transport executives and magistrates' courts committees;
- Family businesses, i.e. if all of the employees are closely related to the employer (as husband, wife, civil partner, father, mother, grandfather, grandmother, stepfather, stepmother, son, daughter, grandson, granddaughter, stepson, stepdaughter, brother, sister, half-brother or half-sister). However, this exemption does not apply to family businesses which are incorporated as limited companies;
- Companies employing only their owner where that employee also owns 50% or more of the issued share capital in the company

Not having insurance does not limit liability in law, if an employer is exempt, the school should consider whether the receiving employer has the financial wherewithal to pay any compensation or damages that the employer may become legally liable to pay to the pupil.

5. Our alarm is out of action temporarily, will cover be invalidated?

There are no specific requirements within the RPA in relation to risk management or mitigation. There is a general requirement that a school maintains a minimum standard of risk management, which includes:

- undertaking risk assessments as required by legislation
- maintaining the property in a satisfactory state of repair
- taking all reasonable precautions for the safety of property
- taking all reasonable precautions to prevent loss, destruction, damage, accident or injury
- undertaking reasonable checks when employing members of staff
- setting and maintaining systems for the protection of property, employees, pupils and third parties
- compliance with the laws of England and Wales
- compliance with UK Government guidance as appropriate

Smoke and Fire Alarms

In relation to fire protection, the school will need to undertake a suitable and sufficient fire risk assessment in line with the Fire Safety Order 2005 and put in place processes to mitigate the risk as they see fit. Cover would remain in force however during this period.

Intruder Alarms

In relation to intruder alarms the school will need to satisfy itself that it has taken all reasonable precautions as regards the safety and protection of both the premises and the staff, pupils and visitors that will be on the premises. Cover would remain in force however during this period.

6. Does the RPA offer Engineering Inspection services?

No, the school will need to make its own arrangements for statutory inspections, either with an insurance company or another body with the necessary competencies to carry out inspections.

If the plant that requires inspection is damaged by a peril covered by the Material Damage Section of the RPA, the RPA will provide an indemnity in relation to the repair, replacement or reinstatement costs (less the usual Member Retention).

7. What is the extent of the cover provided by RPA for loss or damage to contract works and does the RPA provide joint names cover for the contractor in relation to the works and existing structure?

The RPA covers loss or damage to contract works, subject to a limit any one claim of £250,000. If the school requires cover for more than this limit, cover will need to be provided

by a commercial insurance policy. Funding of the insurance would need to be included in the overall funding for the project.

RPA cannot provide 'joint names' cover or waive subrogation rights against contractors in relation to either the existing structure or the contract works (if covered by the RPA).

RPA will continue to provide cover for existing structures during refurbishment works however in the event damage is caused by the contractor RPA will look to make a recovery from the contractor. The contractor can cover this risk by way of a third party public liability insurance policy; he is not required to cover the existing structures in full under a property damage insurance policy.

In relation to the contract works the school can either:

- Rely on the cover provided by the RPA (up to £250,000 any one claim);
- Take out commercial insurance for the full value of the works;
- Require that the contractor takes out Contractors "All Risks" insurance to the full value of the works and with the school noted as an insured party.

If the school relies on RPA cover for the works (up to £250,000) the RPA will look to make a recovery from the contractor any claim payments made to the extent the contractor caused the damage giving rise to the claim.

8. If we add the cyber training to our online eLearning system, Flick, and staff who complete download a certificate of completion from here, is this sufficient and mean that they do not need to go and obtain a separate certificate via the NCSC website?

Completion can be recorded centrally for all staff on the compliance platforms that schools currently use to record other mandatory training, such as Every / GDPRiS or an MIS such as RM / SIMS / Arbor / Bromcom and in this case Flick.

As this is a proven method for recording other mandatory training, such as safeguarding and child protection training and provides an audit of completion, it has been agreed that this will also be acceptable for recording completion of the NCSC training.

If the training is being delivered to a number of staff a register should be kept, which all staff attending sign against their name confirming they have undertaken the training. This should be scanned and kept on file to be provided as evidence in the event of a claim.

9. Our school has animals that are cared for by the pupils or are brought into school for educational/therapy/wellbeing purposes. What cover does RPA provide for these animals / activities?

RPA will provide an indemnity if a school is legally liable to pay compensation in the event of third party death/injury or third party property damage caused by an animal that is owned by or under the control of the school.

Unless covered under a more specific pet insurance policy, the RPA will also provide an indemnity under the Third Party Liability section if an animal brought into school for educational or therapy/wellbeing reason, causes any third party property damage or injury to a third party (including pupils) to the extent that the school is legally liable to pay compensation or damages to the claimant.

The Employers Liability section will provide an indemnity to the school if the school is legally liable to pay compensation to damages to an employee injured by an animal on school premises in the course of the employee's employment with the school.

The RPA would not provide an indemnity to the individual owner of the animal for their legal liability.

The RPA rules do not exclude damage to the school property caused by the animal but cover for Material Damage claims are subject to the member retention (excess) of £500 per loss reducing to £250 each and every loss for Nursery and Primary schools.

To confirm the RPA would not compensate the school if an animal dies or is stolen, and will not provide cover for vet fees if the animal becomes ill or is injured therefore separate insurance would be required if needed.

The animals will not be covered under the RPA and separate insurance will be required, if needed. However, we can confirm that the RPA will provide indemnity to the member school when handling the animals to the extent that the school are legally liable (negligent) in causing injury to school staff under the Employers Liability section and injury to third parties (including pupils etc.) and damage to their property under the Third Party Public Liability. The RPA will defend claims and provide damages or compensation that the school is legally required to pay to the claimant. Risk Assessments will need to be undertaken, recorded and adhered to.

10. What is the extent of third party liability cover provided for medical procedures?

RPA will provide an indemnity if a Member becomes legally liable to pay for damages or compensation in respect of or arising out of personal injury occurring during the Membership Year within the Territorial Limits and in connection with the provision of medicines or medical procedures. Indemnity will also be provided to any member of staff (other than any doctor, surgeon or dentist while working in a professional capacity) who is providing support to pupils with medical conditions and has received sufficient and suitable training.

Cover provided by the RPA will be subject to adherence with the statutory guidance on supporting pupils at school with medical conditions, December 2015, link below.

[Supporting pupils with medical conditions at school - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/supporting-pupils-at-school-with-medical-conditions)