

16. Insurance, liability and negligence

- 16.1 Ensuring that appropriate arrangements are in place to cover costs if something goes wrong, including compensation for research subjects, is an important aspect of good research practice. The University's Professional Indemnity insurance covers staff and students against liability for damages and costs and expenses due to neglect, error or omission *committed in good faith*, subject to the insurance policy's Limit of Indemnity. The University is therefore indemnified, up to a certain limit, for an employee undertaking research work, provided the employee acts within the scope of her/his employment, on approved research work undertaken for the University.
- 16.2 For students, cover applies for a student working within the terms and conditions of the programme of study, under appropriate supervision, and where the student complies with Supervisor instructions.
- 16.3 For public research partners, the following link provides further information on insurance cover:
<http://www.uwe.ac.uk/finance/sec/insurance/intranet/docs/UniversityInsuranceAndVolunteers.pdf>
- 16.4 The University's insurance policies exclude cover for research involving nuclear waste, nuclear fuel, and hazardous properties of any explosive nuclear assembly or nuclear component. In addition, there are restrictions on the cover provided under the University's insurance policy for some research involving aerospace, aviation, pollution or medical work (including clinical trials). It is imperative that at the Project Approval (PA) stage details of research involving these areas are forwarded well in advance to Financial Services for advice (see also *Finance Regulation 17 – University of the West of England, Bristol Insurance Guidelines* for a summary of the cover available to both staff and students).
- 16.5 *Deliberate* negligent acts or deliberate errors (for example, deliberate inaccuracies in data or publications) are not covered by the University's insurance policy and any litigation fees and court compensation awards would have to be paid by the University. Within the University's staff conduct policy, serious negligence that causes or might cause unacceptable loss, damage or injury is considered to be a form of gross misconduct and would be likely to lead to formal disciplinary action and possible dismissal (see *Procedure for dealing with matters of Conduct*).