

Monash University Procedure

Procedure Title	<u>Insurance Program Management - General and Product Liability Claims Procedures</u>
Parent Policy	Insurance Program Management Policy
Date Effective	05-December-2013
Review Date	05-December-2016
Procedure Owner	Divisional Director, FiRM
Category	Operational Procedure
Version Number	2.1
Content Enquiries	Finance Policy
Scope	All Australian campuses and centres Prato Centre, Italy
Purpose	To ensure that Monash University has adequate insurance coverage for all of its activities, assets and people.
PROCEDURE STATEMENT	

What to do in the event of damage to third party property and/or personal injury to a third party

1. Incidences of damage to third party property and/or personal injury to a third party which may give rise to a claim should be reported immediately to the Insurance Services Office (ISO).

Responsibility

Faculty Managers /Heads of schools/Nominee

2. Matters serious in nature (e.g. serious personal injury or death), are to be reported urgently by telephone and followed up in writing. Ensure that details of the incident, and any documentation or information that is deemed necessary are provided.

Responsibility

Faculty Managers /Heads of schools/Nominee

3. Gather evidence such as photographs, videos, names of witnesses, diagrams and anything else deemed relevant to the incident. Provide the evidence to the ISO as soon as possible.

Responsibility

Faculty Managers /Heads of schools/Nominee

4. Any objects and/or products which may have caused, contributed to, or which are suspected of causing an accident are to be retained and preserved as evidence wherever possible.

Responsibility

Faculty Managers /Heads of schools/Nominee

5. Do not enter into any communications regarding liability or responsibility for the incident or particular circumstances with the other parties involved, whether verbally or in writing.

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Responsibility

Faculty Managers /Heads of schools/Nominee

6. In the event that a third party or company holds you or the University responsible for any loss, damage, injury or expense, request that the complaint be put in writing detailing the nature and circumstance of the alleged matter and forward same to the ISO.

Responsibility

Faculty Managers /Heads of schools/Nominee

7. All court writs or summonses, letters of demand, notices, or other legal documents pertaining to a claim are to be forwarded immediately to the University Solicitors Office (USO).

Responsibility

Faculty Managers /Heads of schools/Nominee

8. Do not, without prior written consent from the Insurer, negotiate, pay, settle, admit or repudiate any claim made against you or the University by a third party (this includes anything which may be considered as an admission of liability).

Responsibility

Faculty Managers /Heads of schools/Nominee

9. The ISO will record and submit the claim to the insurer on behalf of the university.

Responsibility

ISO

Note: Monash is required to self-insure for the first \$50,000 (fifty thousand dollars) of any loss and the responsible area for the loss is required to contribute the first \$5,000 (five thousand dollars).

Responsibility

Relevant faculty, school or department

Responsibility for implementation	Vice President (Finance) Divisional Director, FiRM Manager, Insurance Services
Status	Revised
Approval Body	Name: Vice-President (Finance) Date: 05-December-2013 Author: Manager, Insurance Services
Definitions	Excess: An excess on a policy is the first amount that must be contributed by the insured towards each claim. When one or more excesses apply to a policy, they will be shown on the insurance schedule and updated on the renewal notice.
Legislation Mandating Compliance	Insurance Contracts Act 1984 (Cth) Especially: S.13 - Duty of Utmost Good faith & S. 21-Duty of Disclosure of the insured Insurance Act 1973 (Cth) Corporations Act 2001 (Cth) Financial Services Reform Act 2001 (Cth) National Health Act 1953 (Cth)

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	Monash University Act 2009
Related Policies	Procurement Policy
Related Documents	<p>Insurance Policy Wordings (Subject to the limitation imposed in this policy, available from Insurance Services coordinator upon request via telephone extension 56368)</p> <p>Certificates of Currency (Available from Insurance Services Co-coordinator upon request via telephone extension 56368)</p> <p>Related Website: http://www.firm.monash.edu.au/insurance/</p>