

Insurance kit

INFORMATION >

Thank you for your interest in Artworkers' Accredited Membership.

We strongly recommend that you read this information pack before submitting your application. For more information, please contact Artworkers on (07) 3368 1488 or info@artworkers.org

About Accredited Membership

Accredited membership comprises membership of Artworkers, plus the added benefit of public liability insurance. It is suitable for visual artists, craft practitioners and designers engaged in professional practice only. Accreditation is provided in the following areas of practice:

- Ceramics
- Furniture
- Glass
- Jewellery
- Metal
- Public Art
- Textiles
- Visual Art
- Wood

Accredited members are covered for the following:

Public Liability.....	\$20,000,000
Professional Indemnity.....	\$5,000,000
Products Liability.....	\$20,000,000
Tenants Liability.....	\$20,000,000
Property in Physical & Legal Control	\$100,000
Excess.....	\$250

1. Public Liability Insurance

This will protect you against any person who makes a claim against you for 'bodily injury' or property damage caused by a negligent action on your part.

2. Professional Indemnity Insurance

This will protect you from any fault in the actual design of your product.

3. Product Liability Insurance

This will protect you against any person who makes a claim against you for 'bodily injury' or property damage caused by a fault in the products that you have made.

4. Tenants Liability

This is an extension to the public liability policy that will protect you against claims made against you for any damage that you negligently cause to any property that you are renting.

5. Goods in Care, Custody and Control

This will protect you from claims arising from other people's goods that are in your control which you negligently lose or damage. So if you are working on a collaborative project, any goods belonging to the other person/s will be covered. **This package does not insure you for the loss or damage of your own goods.**

6. Teaching

This policy extends to include the activities of the 'Accredited Member' when teaching or training students. Cover under this policy is limited to a maximum of six classes per year of no more than ten students per class. Instructional activities undertaken as a component of an Art Built-in school residency is covered under this policy as long as this is stated at the commencement of the covered period. Please Note: The activities of an Accredited Member as a 'contractor' in schools or council art classes does not impinge on the cover. i.e. it does not fall into the 6 classes per year category.

Accredited Member's may individually apply through the broker to have the policy extended to cover their liability in respect of the teaching of their craft, beyond what is already covered, provided that not more than ten (10) persons are taught in any one class.

The policy will also cover any legal costs authorised by the Insurer in defending claims brought against you in the areas covered above, and this is probably the most important part of the policy. While you may be perfectly innocent of a claim brought against you, you will incur legal fees in defending the case, and without a liability policy to protect you, this could amount to many thousands of dollars.

APPLICATION PROCESS >

Applications for Accredited Membership can be lodged by emailing info@artworkers.org
Applications must include:

1. Statement of Professional Practice

This statement provides a brief summary of your practice. Maximum 250 words, and may include:

- *products you produce/ mediums you work in
- *themes/creative vision driving your practice
- *markets you produce for (commissions, exhibitions, retail etc)
- *relevant activities you are undertaking (teaching your craft etc) and how frequent
- *what environment you work in (in a studio, from home etc)
- *any specific proposed projects you are going to be involved in (ie. The NEIS Program)

2. Curriculum Vitae

The curriculum vitae should provide an up-to-date overview of your practice, and include information such as professional development (education and training), exhibitions, commissions.

3. 5 – 10 Digital Images of your work

These images should be small JPEG files (resolution should be around 1680x1680 pixels) detailing the title of the artwork, medium and date produced. There must be a minimum of 5 images; otherwise your application will not be accepted.

4. Proof of Professional Practice

This includes a maximum of three relevant catalogues, articles, reviews or promotional material that demonstrate your professional experience. **Digitalised versions only, please do not send hard copies.**

CLOSING DATES



*The annual renewal date for all Accredited Members is the 17th July. However, applications for insurance are accepted and processed in monthly rounds. **Applications received after 4pm on the closing date will be included for assessment in the next available round.***

Application Closing Date	Commencement	*Cost
Monday 14th Feb	17 Feb 11 – 17 July 11	\$145.00
Monday 14th March	17 March 11 – 17 July 11	\$125.00
Tuesday 12th April	17 April 11 – 17 July 11	\$125.00
Wednesday 11th May	17 May 11 – 17 July 11	\$125.00
Monday 13th June	17 June 11 – 17 July 11	\$125.00
Monday 4th July	17 July 11– 17 July 12	\$240.00
Tuesday 16th August	17 August 11 – 17 July 12	\$235.00
Wednesday 14th September	17 September 11 – 17 July 12	\$230.00
Thursday 13th October	17 October 11 – 17 July 12	\$225.00
Monday 14th November	17 November 11 – 17 July 12	\$220.00
Wednesday 14th December	17 December 11 – 17 July 12	\$215.00

* Costs and dates valid as at 26 October 2010. Subject to change.

Assessment Process

Your application will be assessed by appointees of the Artworkers Board of Management. They will assess your application for evidence of a high level of professional presentation and check that you have met all accreditation requirements. Once these criteria have been met you will be recommended to the Board to become an 'Accredited Member' of Artworkers. The Board will make the final decision upon your application.

Ongoing Requirements

Once accepted as an 'Accredited Member' you will be required to keep your member profile on the website and your personal contact information up to date. Accredited status is not permanent and can be revoked by the Board (only under exceptional circumstances).

Membership Period

The insurance policy that provides cover for 'Accredited Members' runs pro rata. This period will not correspond to the renewal date for either your existing membership, from the time you upgrade your membership or from the time you make an application to be an 'Accredited Member' of Artworkers. The full 'Accredited Membership' fee is \$240.00. This fee will decrease monthly as it is a pro rata membership. This means that if you become an 'Accredited Member' in the middle of the policy cycle the overall fee will be reduced in recognition (for example) of there being six months left on the 'Accredited Membership' and the associated insurance cover. This will only be a potential issue in the first year of being an 'Accredited Member'.

Insurance Enquiries + Certificates of Currency

If you would like general information about your insurance cover, please contact Local Community Insurance on 1800 853 800 or www.localcommunityinsurance.com.au/coverage_pl.aspx or Artworkers via email on info@artworkers.org or phone on (07) 3368 1488.

If you are an existing 'Accredited Member' and require a certificate of currency, please see the confirmation email sent to you on approval of your application, or contact Artworkers.

CHECKLIST



1. Documents/Image requirements outlined in Application Process listed

2. Code of practice declaration form

Please sign and include this form with your application.

3. Completed membership form

The Artworkers Membership form (back of this pack)

If you have any questions regarding the presentation of this material, please contact Artworkers on (07) 3368 1488.

The insurance scheme arranged by Local Government Risk Services on behalf of Artworkers is designed to give you protection against persons issuing legal proceedings against you in the event of your negligence. The policy, which has been affected, covers Accredited Members of Artworkers only, not all members. It will only cover those members provided that there are no more than three persons involved in their business. It is a Standard Public and Products Liability Insurance Policy of the same type that is carried by most business. *The policy will only cover you for the activities relating to the visual arts, craft and design industries as detailed on your Artworkers member profile.*

The Public Liability section of the policy will protect you against any “Act of Negligence” on your part causing injury to the public or damage to their property. For instance, you may leave an item of equipment lying on the floor of your workshop in a gangway and not put it away because you are going to use it shortly. If a visitor then trips over that piece of equipment, you could possibly be held liable in a court of law. If you are held liable, the policy will pay for both the damages awarded and the costs involved in fighting the case.

The Public Liability section of the policy will cover you against an “Act of Negligence” on your part caused by the manufacture or sale of your merchandise. For instance, a nail may come loose on an item you have made, or you may have failed to knock it in properly. If someone tears their clothes on that nail then you could be held liable to replace the item of clothing. Again the policy would answer to the claim in the same manner as in the previous paragraph.

Technically, to be negligent you must either have done something that a reasonable person would not do, or conversely, you must have failed to do something that a reasonable person would have done. A third party will not be able to claim against you merely because they were injured on your premises; it will be necessary for them to prove that their injury was caused by your negligence. The law in respect of manufactured products is different. In this case it is only necessary for the injured party to show that your product or a product that you have sold to them caused the injury. It is then your responsibility to prove that the injury was not caused by your negligence.

Perhaps the most important aspect of a liability policy is that the cover includes the cost of fighting a false claim made against you – provided these costs are approved by the insurance company prior to their being incurred. Many people think that they do not need a liability policy because they are very careful in everything that they do, and forget that people may try to claim against them even when they have not been negligent. This is one of the reasons that there are courts to decide these cases and lawyers to help you prove that you have not been negligent. The decision whether or not you have been negligent, and an injured party should be paid, rests with the insurance company and the court. *You should never admit liability in any way, as it may prejudice your claim.*

but not against professional acts of negligence. These could include: advice that you may give to anyone on a professional basis, or any fault in the actual design of your product. It is virtually impossible to give instances in all cases, because each case will depend on the circumstances and these always differ. This brings us back to one of the most important reasons why you need liability insurance; the policy covers the costs of a claim made against you, provided that the claim falls within the terms and conditions of the policy, and that the insurance company agrees to those costs being incurred.

DISCLAIMER: Information contained in this outline should not be relied upon in lieu of legal advice on any particular case, transaction or matter. Individual needs and requirements in relation to any insurance should be assessed by the insured at the commencement of any cover. Artworkers is not the insurer, broker or agent of any insurance company and as such assumes no liability for any issue or event that arises from this policy. Artworkers receives no incentives or payments from the insurer as part of this program.

1. What exactly is public liability insurance?

Public liability covers the artist for their concepts, artwork and tools they use to create the artwork. For example, if someone should trip over a piece of artwork and make a claim against you, you are covered for up to 20 million dollars.

2. What exactly is professional indemnity?

Artworkers Professional indemnity covers the artist for faulty products. For example, a sculpturer does not sand down a item and someone hurts themselves. This is covered under our professional indemnity.

3. Do we cover work spaces/studios?

No – please refer to Question 1.

4. Can I be covered if I do performance art?

Performance Art is considered different to other visual art mediums. There are certain areas of performance art that our insurance cannot cover. If you are a mixed media artist and your work involves performance art, we still recommend you make an application, giving us as much information as possible. Should work include more performative art than other mediums, please contact Duck For Cover on www.duckforcover.com.au

5. How many workshops can I conduct?

You are covered for a total of 6 workshops. A workshop is considered one class per day.

School workshops are not considered part of 6 workshops, as you are considered a participant. School insurance should cover you and the children.

6. NEIS Program

If you are part of the NEIS program, please state this in your statement of professional practice. Please remember that applications are only processed once a month; please allow sufficient time for processing.

7. Does my insurance cover me Nationally/Internationally?

Yes apart from Canada and USA.

8. Does Artworkers have a group cover insurance package?

No, we only cover individuals. Please contact local community insurance on 1300 853 800.

Accredited members of Queensland Artworkers Alliance are reminded of their obligation to adhere to:

- Relevant consumer legislation.
- Department of Trade and Industry standards for workshop safety.
- Legal requirements relating to small business management eg. workers compensation; business, public liability and manufacturers liability insurance provisions of the Copyright Act.
- Current Occupational Health and Safety legislation.

Accredited Members of Artworkers are expected to:

- Deal honestly and fairly with clients and other artworkers.
- Produce work of the highest possible standard, fit for the purpose for which it was intended.
- Make use of written contracts.

Information relating to the above is available from Artworkers for the benefit of members.

As an Accredited Member of Queensland Artworkers Alliance, I undertake:

- To endeavour through my visual arts practice and associated business practice to uphold and advance the standing of the visual arts within the community.
- To endeavour to promulgate my expertise and understanding of the crafts and their contribution to human culture.

Signature: _____ *Date:* _____

MEMBERSHIP FORM



Personal Details

title first name last name

organisation

postal address

suburb state postcode

home phone work phone

mobile fax

email male female

how did you hear about us?

date of birth: websites

new membership renew membership lapsed

Student / Conc. affiliate individual organisation accredited

Total enclosed \$

Payment Details

credit eftpos eft mo chq cash

visa / mastercard

expiry cardholders name

signature

office use only

processed by date receipt no.

paid
processed
CSV