

The BCRA / BCA 'Road Map'

Extract from
Speleology 5

The long consolidation process of providing the one-stop shop for caving in the UK is nearly complete. Here, we explain the background to the process.

This is a shortened / updated version of the article in BCRA newsletter 5, bcra.org.uk/news/

For many years there was an anomaly in that BCRA (a science body) was seen to be a representative national body for cavers to join whereas NCA – the national body recognised by the Sports Council – did not allow individual members to join. This, plus a concern about finances and a disparity between the way the different regional caving councils (RCCs) operated, suggested that we should consider setting up a single body – a One Stop Shop – for cavers.

“Why not just merge BCRA with NCA and have done with it?” was a popular criticism. Unfortunately, this would have been difficult, not least because BCRA is a charity and there are restrictions on what it can do. Discussions went on for some time, but it was difficult to see a solution that pleased all the groups involved. Arguably, the end result is that we do have a merger, but with BCRA retaining control of its funds.

Insurance

Then we had the ‘insurance crisis’. At very short notice, and

despite over 20 claim-free years, our insurers pulled out, giving us less than a month’s notice. At the time, the BCRA policy provided insurance to most of the caving clubs and organisations in the UK.

Perhaps we did not adequately explain why this was seen as such a problem. “I’m insured; why can’t I go caving?” was a frequent comment. But even if a person’s domestic insurance did cover them for third-party liability when caving it would certainly not cover the land owner – and it was BCRA’s Landowner Indemnity insurance which underpinned many of the Access

Agreements negotiated by RCCs.

The insurance problem forced us to focus on providing a national body to administer a new policy. In fact, the lack of a coherent national membership structure was cited as one of the primary reasons why we had trouble in obtaining cover. The other problem we were faced with was that someone in the insurance industry must have decided to do a calculation: suppose caving is ‘safe’ and there is only one claim in 25 years, but if that claim is for £1m then a simple sum shows that the policy should sell for at least £40k per year – vastly more than we

What has gone before

BCRA’s policy regarding NCA/BCRA consolidation was agreed at Council meeting **121** on **23 June 2002**. You can read it in *Speleology 1* and at bcra.org.uk/nnb In the document we described the planned withdrawal of BCRA’s national body activities, namely:

- Production of a general caving magazine
- Underwriting of national conference
- Regional (non-scientific) meetings
- Provision of travel and PL insurance

We also re-affirmed our charitable aims of cave research, which we said we would continue to achieve by means of

- A science journal, C&KS, and other items
- Organising science symposiums
- Maintenance of a speleological library.
- Supporting Special Interest Groups
- Providing grants for scientific purposes

Later in the document we announced our intention to be an integral part of the new national body, and we said that we remained receptive to the idea that there could be a closer consolidation that we had outlined. E.g., allowing cavers to register an interest in cave science through the new national body.



What has happened since then

Provision of PL insurance has been transferred to BCA. In June '04 BCRA members ceased to be covered under this policy.

Discount on Travel Insurance is now also a BCA benefit. This policy no longer provides a source of income for BCRA or BCA. Instead, it is ‘sponsored’ by the broker who provides it at a discount to BCA and BCRA members. The undiscounted policy is available to the public.

Speleology magazine is now also a BCA benefit. Issue 5 will be funded by BCRA, but eventually the cost of this benefit will be borne by BCA.

BCRA continues to offer administrative support to its **Special Interest Groups**, but membership of the SIGs extends to BCA members.

BCRA’s Membership Officer is now employed by BCA rather than BCRA and BCRA is now using BCA as a ‘subscription agent’ to collect its membership fees.



Where we would like to go now

Further discussion, in Council meeting **128** on **21 November 2004** resulted in a set of proposals, which are summarised below.

- BCA reported that their Newsletter will now also be sent to all BCRA members
- BCRA’s Publications Officer should now also act as BCA’s Publications Officer
- BCA proposed that BCRA should, like other national bodies, be given free membership of BCA and free PL insurance for officers
- The principle of free access to the National Caving Library remains. BCRA will continue to provide the funds for operating the library but it is an open question whether the library and post of librarian should go to BCA
- Journal exchanges (BCA newsletter, Speleology, C&KS) will continue to be funded by BCRA for 2005
- BCRA should not organise non-scientific meetings – that becomes the remit of BCA
- The national conference Hidden Earth should become the responsibility of BCA
- BCA and BCRA should retain separate posts for ‘foreign relations’ but a greater degree of co-ordination is required
- BCRA should retain the administration of its various awards and competitions, including the Arthur Butcher, Bryan Ellis and EK Tratman awards and the BCRA Photo Salon
- BCRA should investigate the consolidation of GPF and BCRA funds
- BCRA should continue to publish Cave & Karst Science and Speleology and to operate as the publishing ‘imprint’ of BCA. We should continue to investigate the ‘paperless’ publication of C&KS as a method of offering it to members at a lower cost.

All other BCRA benefits will remain with BCRA.

- For example:
- BCA members who do *not* also join BCRA will *not* receive Cave & Karst Science
 - BCA members who do *not* also join BCRA will *not* receive a discount on BCRA publications
 - GPF, as a charity, remains part of BCRA. Whilst BCA continues to receive a grant from UK sport for expedition work, the GPF committee shall continue to have the BCA’s treasurer as an ex officio member
 - The UK Cave conservation Emergency Fund will remain with BCRA, but its management, which involves NCA (now BCA) and BCRA will be reviewed



BCRA Membership – discussed at the SGM

BCRA Council would like to pursue a path that involves redefining BCRA’s membership categories and which restricts BCRA membership to BCA members. Although this may come as a complete anathema to some, we believe it will be for the long-term good of sport caving and cave science in the UK.

In simple monetary terms the restriction would merely add to your membership fee the real cost of re-instating the public liability insurance that used to be a BCRA benefit.

After discussing these changes at the SGM, a motion was passed at the 2005 AGM to restrict BCRA membership to BCA members. At the 2004 AGM, it was suggested that one option, for the future, was that BCRA ceased to have ‘members’. Council is not proposing that course of action at the moment.



2006

From 1 January 2006 we will be implementing the change in membership structure: membership of BCRA is restricted to BCA members.



The future: suggestions for the role of BCRA Trustees

The Council meeting of November 2004 also discussed various matters to do with BCRA’s constitution and the matter of its trustees. All members of BCRA Council are trustees of BCRA, which is a consequence of charity law. BCRA will remain a charity and therefore its trustees must be independent. We propose ...

- that the BCA chairman should become an ex officio member of BCRA Council and the BCRA chairman should become an ex-officio member of BCA council. This will help to protect BCRA’s science interests.
- that BCRA will seek to ensure that its scientific and technical objectives are enshrined in the constitution of BCA.
- that BCRA Council will consider the merits of appointing trustees for periods of longer than a year.
- that in the longer term BCRA could consider shedding its individual membership, with members being moved to a status that is better viewed as a subscription by supporters.
- that in the longer term BCRA could consider changing its name.

were paying under the old scheme. (In 2004 BCA paid £42k for the annual cover). BCA has to recoup the cost of the policy from membership fees. If it cannot then we do not have an insurance scheme, and this will seriously affect caving 'as we know it' in the UK, because of the problem of negotiating access agreements.

Where We Are Now

When the insurance premium was cheaper – around £1/person – it did not matter if people who were a member of more than one caving club paid more than once for the cover. But the higher cost has meant that it has become essential to move from a system of insuring club members largely on trust to one where we have a definitive list of insured people.

The insurance is not 'sold' – it is provided as a benefit of BCA, and it is down to BCA to decide

how to recoup the policy cost. BCA has decided that 'non-cavers' can pay a lower membership fee than 'cavers'; however the level of insurance cover is the same.

Members of a member caving club do not need to join BCA but, of course, they will not be insured unless they do so. However, there are some provisions of the insurance that will not be available to clubs unless all their members are insured. A substantial part of the reason for this is that it is only fair if the policy cost is spread amongst as many cavers as possible.

Because the cost is spread amongst the members, BCA needs as many members as possible. For 2006, the membership fee has been reduced, reflecting this fact.

Where BCRA Fits In

It clearly makes sense to have one membership database for BCA and BCRA. Administration

BCA Membership includes a contribution to the insurance policy. We all benefit from this – even if only indirectly, as a cave scientist or retired caver. The opening up of a cave to 'tourist trips' only happens because the cave diggers have been able to act with the benefit of insurance cover, and the consent of the landowner. 'Armchair cavers' are only able to read about caving, or appreciate photographs, because other (insured) cavers have been at work. Although we would like to avoid paying additional costs to go caving – the insurance policy is rather like a 'community charge' or 'tax' on caving, and we all need to make our contribution.

competing with BCA for members. But BCA is only viable if the majority of BCRA members join. We need BCA to be financially viable because, if it is not, then we will not have an insurance scheme.

BCRA is committed to remaining a distinct part of BCA, focusing on science, technology, exploration and publishing, but we feel that a close association is essential. We have therefore decided to pursue a path that involves redefining BCRA's membership categories and which restricts BCRA membership to BCA members. We believe it will be for the long-term good of sport caving and cave science in the UK.

BCRA Council is firmly of the opinion that BCA needs to succeed and be recognised as the national body for caving in the UK. All cavers will benefit from this, whether or not they are a member of BCA. ■

costs are a significant proportion of the membership fee. Also, if BCRA continues to operate independently then it will be

BCA Information

Public Liability Insurance

This table is an attempt to explain some of the aspects of BCA's Public Liability Insurance Scheme. It does not cover all aspects (e.g. Product Liability Insurance and the Volunteer cover that is available) and it is *definitely* not a substitute for reading the Policy document, its Synopsis and BCA's own statements. The BCA web site is under construction, and the information is probably best approached from the direction of [bcra.org.uk / detail / pl-ins.html](http://bcra.org.uk/detail/pl-ins.html)

| Type | What is covered? | Who benefits? | Do I need this insurance? |
|---|--|---|---|
| Third Party Liability | The policy indemnifies you in respect of legal liability for damages arising out of death or injury to someone else or damage to someone else's property. | All Individual Members of BCA. | This part of the insurance package may be available from other brokers, but because the BCA policy has been negotiated by cavers for cavers, it explicitly covers some very unusual risks, including the use of explosives and complex mechanical equipment such as winches, and it covers other caving activities such as workshops, conferences and training events. When members of BCA benefit from a provision of the policy, this is the <i>same</i> level of cover for all such members. However, BCA 'weights' your contribution so that cavers pay more than non-cavers do. The contribution paid by Club Individual Members reflects the true cost of administering the policy, and does not include any hidden element for membership of BCA. |
| Land-owner Liability ("Indemnity to Others") | The policy indemnifies landowners who enter into a BCA access agreement for liabilities arising out of the crossing of their land, and/or the exploration of their caves by an insured member or member organisation or any other person described in the BCA access agreement . A BCA access agreement is an appropriate agreement or contract made with a land/property owner with the full knowledge and consent of the BCA Insurance Manager. | 1. All Individual Members of BCA. 2. All members of a Member Club / Organisation . (The members of a Member Club do not have to be members of BCA). 3. Anyone else described in the BCA access agreement . | This is a requirement of many landowners that partake in caving access agreements. But the cover does not cost you anything other than your club's membership fee to BCA. Whilst some public liability insurance may be included in your existing domestic policy, it is extremely unlikely that this Landowner Liability is covered. This is because <i>you</i> are not the beneficiary of this insurance. BCA issues Landowner Certificates to clubs on request, to demonstrate that they have insurance which protects a particular landowner . |
| Member to Member or Cross Liability | Claims made against you by another member of BCA . <i>And in particular:</i> claims made against you as a result of the "joint and several liability" incurred by members of a club . | All Individual Members of BCA. <i>Exception:</i> claims between two members of a member club / organisation are only covered if all the members of the club are Individual Members of BCA | In English Law, members of a club have "joint and several liability" – it is a fundamental aspect of being in a "club". The risk is not <i>primarily</i> that you could be sued because of the actions of another member of your club, it is that you could end up having to <i>pay a contribution to the costs of a case</i> against another member of your club (even if the case itself was dismissed) and he felt obliged to sue his fellow club members to recover his costs. This element of the insurance scheme does not apply to cave diving or any use of explosives. |
| Club Officers' Liability & other Club Risks insurance | The policy indemnifies the trustees, officers, committee members etc of a member club / organisation (strictly in respect of their voluntary involvement in the running of their organisation and the giving of advice/leadership) against the legal liability for damages arising out of death or injury to someone else or damage to someone else's property. | Officers etc. of a member club / organisation but only if <i>all</i> the members of the club are Individual Members of BCA. BCRA Officers benefit from this cover, because BCRA is a member organisation of BCA. | Whilst some public liability insurance may be included in your existing domestic policy, it is extremely unlikely that it extends to cover the risks of being a club officer. Clubs that provide accommodation must pay an additional contribution. This section of the policy also includes Product Liability cover (this may be relevant if your club makes tackle for use by its members or prepares food for a club barbecue); and Volunteer cover for persons who participate in caving activities but who are not members of any particular caving organisation. This is particularly important for regional councils and others involved in access related activities such as capping shafts and fitting gates, where help is required from outside the membership of the local caving clubs. For further details please ask BCA. |