

# Management Liability Policy

Summary of cover



November 2015 edition

redefining / standards



# Why choose AXA's Management liability policy?

The Management liability policy is available to any UK registered business excluding those in the legal sector, education sector, professional football or rugby clubs or financial services sector.

## We offer cover for

- Directors' and officers' liability.
- Employment practices liability.
- Company legal liability.

## Any one claim limits

Each section gives cover up to the selected limit for any one claim. There is no limitation on the number of claims that can be made in any one period of insurance.

## Wide cover as standard

Cover for employment, regulatory, pensions, cyber, contractual, pollution and employee dishonesty claims as standard.

## Innovative new covers now included

New covers include contract dispute and debt recovery pursuit, negative social media public relation costs and circumstance investigation costs.

## Flexibility

Cover automatically responds to most changes in your business such as the purchase of another company.

## Control

Ability to elect to defend claims rather than settle where good prospect of success.

## Access to exclusive **rradar** advisory service

Included within the cover is access to:

- expert legal, regulatory and risk management advice and support
- Pro-active advice to help you avoid getting into trouble in the first place
- Unlimited access to thousands of documents and draft templates
- Advice provided over the phone, by e-mail or face to face

Provided by leading law firm, **rradar** legal.

## About this document

This document is a summary of the insurance cover provided by the Management liability policy. Therefore it does not contain the full terms and conditions of your insurance. You can find these in the policy document. This summary is for information purposes only and does not form part of your insurance contract. A copy of the full policy wording is available on request.

# Summary of cover

## Features and benefits

### Directors' and officers' liability

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- Legal costs, awards and settlements for any claim or regulatory action brought against any past, present or future director officer or employee.
- Legal costs of representing any director officer or employee at an official investigation.
- £100,000 additional limit for non-indemnifiable loss for each insured person. (new)
- Costs of up to £25,000 for radar legal to investigate any circumstance. (new)
- Costs of up to £100,000 for deprivation of assets. (new)
- Automatically gives cover on the same terms for all subsidiary companies including any subsidiaries bought during the period of insurance.
- Includes claims brought in any jurisdiction including USA.
- Claims against directors/trustees, officers or employees caused by the operation or administration of any pension scheme, employee benefit scheme or trust fund.
- Claims against directors/trustees for an unlimited period following retirement during the period of insurance.
- Claims caused by a failed public offering.
- Claims against directors for personal roles with any charity/not for profit organisation.
- Automatically includes 30 days cover on the same terms following a management buy-out.
- Claims by parent company included.
- Claims against directors for incidental professional negligence.

### Employment practices liability

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- Legal costs, awards and settlements for any employment claims brought against you or any past, present or future director officer or employee.
  - Legal costs of representing any director officer or employee at an official employment investigation.
  - Automatically includes all subsidiary companies including any subsidiaries acquired during the period of insurance.
  - Claims arising from breaches of TUPE (transfer of undertakings protection of employment) legislation.
  - Automatically includes 30 days cover on the same terms following a management buy-out.
  - Civil fines and penalties included. (new)
  - Only knowledge of directors, human resources and legal applied to the company in the event of a claim (new).
  - Definition of circumstance defined to not include routine employment disciplinary events and dismissals. (new)
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## Features and benefits *continued*

### Company legal liability

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- Legal costs, awards and settlements for any claim or regulatory action brought against you.
  - Legal costs of representing you at any official investigation.
  - Automatically gives cover on the same terms to all subsidiary companies including any subsidiaries bought during the period of insurance.
  - Claims against your business caused by the operation or administration of any pension or employee benefit scheme.
  - Cover up to £100,000 for all claims in each period of insurance for loss to your business due to employee dishonesty or third party funds fraud.
  - Claims caused by a failed public offering.
  - Automatically includes 30 days cover on the same terms following a management buy-out.
  - Claims caused by any cyber liability.
  - Costs of up to £25,000 for rradar legal to investigate any circumstance. (new)
  - Costs of up to £100,000 for rradar legal to contact your customers/suppliers where legally required to following a breach of data protection law. (new)
  - Crisis public relations costs of up to £25,000 following sustained negative social media.
  - Defence costs up to £100,000 for breach of contract claims.
  - Costs of up to £25,000 for rradar legal to pursue your legal rights in a contract dispute or to recover a debt. (new)
  - Defence costs up to £50,000 for infringement of copyright claims.
  - Pollution clean up costs of up to £25,000 included.
  - Regulatory mitigation cover added for self reporting.
  - Loss of paper or electronic documents.
  - Only knowledge of directors, human resources and legal applied to the company in the event of a claim. (new)
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## Additional services included

Access to expert legal, regulatory and risk management advice and support provided by leading law firm, **rradar** legal, 13 Waterside Park, Livingstone Road, Hessle, Hull, HU13 OEG.

Simple, user friendly information and guidance on an unrivalled range of legal and regulatory issues which cause directors' concern, including:

- Human resources and employment.
- Health and safety.
- Waste and environmental regulations.
- Taxation.
- Money laundering, fraud, bribery and corruption, anti-competitive practices.
- Legal advice on a wide range of areas including directors and shareholders duties, contract disputes, intellectual property, data protection and cybercrime, financial crime, motoring and criminal offences.

## Cover includes

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- Pro-active advice to help you avoid getting into trouble in the first place.
  - Free unlimited enquiry line staffed by UK based experts, 9am-5pm, Monday to Friday.
  - Unlimited access to thousands of valuable documents including draft templates, contracts, policies, specimen letters etc. through **rradar's** online Advice & Resource Centre.
  - Updates and alerts on regulatory changes.
  - Online access to a comprehensive library of training videos, case studies and FAQs.
  - Relevant articles covering current legislation and regulation.
  - Crisis Legal Helpline available 24/7.
    - Staffed by experienced team of expert defence, prosecution and investigation lawyers and industry experts.
    - Advice provided over the phone, by email, or face to face.
    - On-going support throughout a case available as required.
  - Legal privilege is created in all advice and assistance.
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## Limits of cover available

### Private Limited companies

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|             |
|-------------|
| £100,000    |
| £250,000    |
| £500,000    |
| £1,000,000  |
| £2,000,000  |
| £5,000,000  |
| £10,000,000 |

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Unless stated otherwise, the limit of cover applies to each and every claim and includes defence costs, settlements or awards made.

## Significant or unusual exclusions and limitations

| Exclusion or limitation   | Applicable section(s) |
|---|-----------------------|
| Direct claims directly relating to bodily injury exclusion.   | All                   |
| Deliberate or dishonest acts and deliberate breaches of regulation exclusion (after a court finding or admission of liability). | All                   |
| Fines and penalties imposed exclusion for criminal acts.  | All                   |
| Past claims, matters known or litigation commenced prior to start of the policy exclusion.                                      | All                   |
| Breach of professional duty exclusion.  | All                   |
| Claims made after a take-over or merger exclusion.  | All                   |

### Significant or unusual exclusions and limitations *continued*

| Exclusion or limitation  | Applicable section(s)  |
|--|--|
| Claims arising from the operation of a defined benefit pension scheme exclusion. | Directors' and officers' liability and Company legal liability |
| Claims outside of the United Kingdom exclusion.                                  | Employment practices liability and legal liability             |
| Contractual payments exclusion.  | Employment practices liability                                 |
| Non compensatory payments exclusion.   | Employment practices liability                                 |
| Products exclusion.  | Company legal liability  |

### Standard excesses (applies to defence costs and awards or settlements)

| Section of cover                    | Excess  |
|-------------------------------------|---|
| Directors' and officers' liability. | Nil   |
| Employment practices liability.     | £2,500 each and every claim including defence costs. The standard excess will not apply where the advice of <b>rradar</b> legal is followed for any matter that may lead to a claim. Any applicable excess will only be charged at the end of a claim and will not apply to a successful defence. |
| Company legal liability.            | Nil other than<br>1) Employee dishonesty and third party funds transfer claims – £2,500<br>2) Legal pursuit claims – £1,000 each and every claim.   |

## **Policy duration**

This is an annually-renewable policy.

## **Applicable law**

You and we can choose the law which applies to this policy. We propose that the Law of England and Wales apply. Unless we and you agree otherwise, the Law of England and Wales will apply to this policy.

## **Making a complaint**

If you have a complaint about your policy you should contact the agent or AXA office where it was bought.

If your complaint relates to a claim on your policy please contact the department dealing with your claim.

If we have given you our final response and you are still not satisfied you may be eligible to refer your case to the Financial Ombudsman Service (FOS). If applicable, you will receive details of how to do this at the appropriate stage of the complaints process.

## **Financial Services Compensation Scheme (FSCS)**

We are covered by the Financial Services Compensation Scheme (FSCS). You may be entitled to compensation from the scheme in the unlikely event we cannot meet our obligations to you. This depends on the type of insurance, size of the business and the circumstances of the claim.

Further information about the compensation scheme arrangements is available from the FSCS ([www.fscs.org.uk](http://www.fscs.org.uk)).



**This document is available in other formats.**

If you would like a Braille, large print or audio version, please contact your insurance adviser.

**[www.axa.co.uk](http://www.axa.co.uk)**