



Summary of cover

# Management Liability for Private Companies

September 2021

# 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, circumstance investigation, contractual defence and pursuit, pollution and employee dishonesty claims as standard.

## Innovative covers now included

Covers include Brexit, tax investigation, Restrictive covenant and property dispute pursuit and third party fraud covers.

## 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.

## Exclusive access to **rradar's** expert legal, regulatory and proactive risk management advice and services

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 24/7 access to online legal resources answering common legal questions.
- Downloadable templates, letters, checklists, guidance documents, videos, webinars and calculators.
- Unlimited calls to proactive Legal Advice Line service over the phone or by e-mail across a wide range of legal, business and operational sectors.
- Digital incident reporting platform
- On-the-go legal support via an app.
- Business risk analysis tool.
- Legal and regulatory updates, blogs and webinars.

## 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.
  - Claims arising from the exit of the United Kingdom from the European Union (Brexit).
  - Costs of up to £25,000 for directors' personal tax investigations (where a covered claim could follow).
  - Costs of up to £25,000 for an insolvency hearing.
  - £100,000 additional limit for non-indemnifiable loss for each insured person.
  - Costs of up to £50,000 for **rradar** legal to investigate any circumstance.
  - Costs of up to £250,000 for deprivation of assets.
  - 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.
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### **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.
  - Only knowledge of directors, human resources and legal applied to the company in the event of a claim.
  - Definition of circumstance defined to not include routine employment disciplinary events and dismissals.
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## 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.
  - Claims arising from the exit of the United Kingdom from the European Union (Brexit).
  - 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.
  - Cover up to £10,000 for third party, funds transfer and telephone fraud.
  - Costs of up to £25,000 for tax investigations.
  - Cover for Fees for Intervention (FFI), Environment Agency Fees and Pension civil penalties.
  - Automatically includes 30 days cover on the same terms following a management buy-out.
  - Costs of up to £50,000 for **rradar** legal to investigate any circumstance.
  - 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.
  - 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.
  - Costs of up to £25,000 for **rradar** legal to pursue your legal rights for a breach of covenant.
  - Costs of up to £25,000 for **rradar** legal to pursue your rights in a property dispute.
  - 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.
  - Only knowledge of directors, human resources and legal applied to the company in the event of a claim.
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## Additional services included

Access to **rradar**, an award-winning legal, regulatory and risk management advice company, is included in your AXA MLP policy. **rradar** gives you the tools and support to confidently run your business in compliance with relevant legislation, whilst expertly guiding you to safety if problems do arise.

To help you manage your legal risks, at any stage of your policy (and within the scope of your policy), **rradar** can answer your questions, educate your business or assist with any specific concerns or investigations against you, whilst offering advice on a wide range of legal and regulatory issues which could face your business, including:

- **Human resources and employment**
- **Waste and environmental regulations**
- **Taxation**
- **Money laundering, fraud, bribery and corruption, anti-competitive practices**
- **Legal advice on a wide range of areas** including corporate governance, directors' and shareholders' duties, contracts, 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.
- **Unlimited access to Legal Advice Line Service**

Policyholders can contact **rradar's** team of highly experienced specialist lawyers and advisors for proactive advice and next-step guidance across a wide range of legal, business and operational sectors. These include guidance on issues relating to HR and employment, GDPR and data protection, tax, health and safety, business crime and regulation, corporate governance and more.

There is no limit to the number of times you can contact the Legal Advice Line service, neither is there a limit to the time it takes for the team to support you, so provided the advice is within the scope of the Legal Advice Line service, there are no billable charges. Discussions and advice provided by the Legal Advice Line service are legally privileged meaning they are protected and confidential.

For services that fall outside the scope of the Legal Advice Line service, **rradar** will agree a clear fixed fee in advance. These services could include a detailed review of legal documents or the preparation of letters or emails to a third party or the drafting or production of documents.

## Additional services included *continued*

- **rradarstation\***

Policyholders have unlimited 24/7 access to **rradarstation**, an online self-service website that provides you with expert advice articles, answers to common legal questions, downloadable document and letter templates, checklists, videos and webinars.

Advice topics include employment and HR processes and procedures, business-related crime and regulation, GDPR and data protection, health and safety information, tax and commercial and corporate guidance.

All written in straightforward everyday language, verified by **rradar's** legal teams, and designed to help manage and minimise legal risks. Policyholders can give unlimited numbers of users across their organisation permission to access and use this digital platform.

Within **rradarstation** sits **rradargrace**, the virtual legal assistant chat feature that provides answers to common legal questions and can bring forward relevant templates and guidance from the resources with the **rradarstation** website. **rradargrace** can also connect users to an expert advisor if further detailed advice or support is required.

- **rradargrace\*** – gives you quick and convenient access, provides answers to common legal questions and FAQ information and links to **rradarstation** website resources, all delivered to your smartphone or other device, wherever you are, whenever you need them. Download **rradargrace** from the App store or Google Play Store. **rradargrace** is also accessible as a mobile app, or you can talk directly to it from your web browser. Use your **rradar** account details to log on and get legal support on the go. Policyholders can give unlimited numbers of users across their organisation permission to access and use this digital tool.

- **rradarreport**

Available to download from the App Store or Google Play Store.

**rradarreport** is the digital platform for recording major, minor and near-miss incidents in your workplace and designed to help businesses document, manage and respond to health and safety risks across their organisation. Policyholders and unlimited numbers of users across their organisation, with the appropriate level of permission, can access the 24/7 online system to view and accurately and quickly input the full circumstances of an incident, whether it is a near miss, a minor incident, or a major incident that is reportable under RIDDOR. Following the creation of a RIDDOR reportable/major incident record, the primary user, a person with RIDDOR responsibilities for your organisation, will be contacted by **rradar's** health and safety legal team who will advise on the major/reportable incident. Incident information inputted into the system will provide graphical and statistical reports for incident trend analysis and help you spot health and safety spikes, allowing managers to take appropriate actions and limit future incidents occurring.

## Additional services included *continued*

- **rradarrisk**

Access to **rradarrisk** is via the Risk Analysis Tool tab on the **my.rradar** dashboard.

**rradarrisk** is an integrated analytics tool that creates a unique profile of your business, helps to highlight potential risks you could be exposed to, and includes easy-to-read risk level indicator charts and offers next-step guidance to help you mitigate your risks before they become a problem.

- **Out-of-hours Legal Crisis Line**

If a business-related crime or emergency occurs, policyholders can call the 24/7 Legal Crisis Line and speak directly to a specialist lawyer who will advise on how to best work with the police, Health and Safety Executive and all other investigation and regulatory bodies.

- **Legal privilege – rradar** is a fully authorised and regulated legal practice. This means that legal advice, or communication with **rradar** because of specific claims against you, may not be disclosed in related legal proceedings.

- **Legal representation for claims and investigations**

Included in your policy is access to **rradar's** specialist legal teams and, cover permitting, this includes full legal representation for claims and investigations as the policy defines them.

- **Keeping you up to date**

**rradar** can provide policyholders with regular updates on new digital tools, legal and regulatory blogs, regular email newsletters, webinar invites and more.

## Important Information



### Legal Advice Line service:

Telephone: **0800 955 6111** Mon to Fri, 8am – 6pm (excluding public holidays)



Email: **contactus@rradar.com**

24/7 Out-of-hours crisis line: **0800 955 6222**

**rradar** account dashboard: **my.rradar.com**

**rradar** website: **www.rradar.com**

**Please have your policy number and policy schedule available when you get in touch.**



### Crisis PR line:

Tel: **0800 955 6111** between 8am – 6pm, Mon – Fri and via the out-of-hours Legal Crisis Line telephone: **0800 955 6222** for critical PR support in difficult and challenging situations.



## Additional services included *continued*

### How to access **rradar's** advisory services

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Your insurance broker will send your policy details to **rradar** to be registered, this will include your email address.

When registered, you will receive an email from **rradar** requesting that you activate your **rradar** account by setting a password.

Once activated, you can access the **my.rradar** dashboard and launch all the digital tools and resources included under your policy.

If you have not received an activation email from **rradar** or you are unsure your policy has been registered by your insurance broker, please check by emailing **contactus@rradar.com** including your policy schedule or by calling **0800 955 6111**.

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### Making a claim

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Please check your schedule of insurance and full policy wording on the cover, sums insured, limits, excesses, warranties, conditions, exclusions and extensions of cover purchased by your business. If you are unsure of any aspect of cover please contact your insurance broker in the first instance.

**If notifying a claim, you or your insurance broker should email full details of the claim to: [claims@rradar.com](mailto:claims@rradar.com)**

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The regulations of the LSS, which is the representative and regulatory body for regulated firms, for Scottish qualified solicitors, and for other regulated individuals, can be found at [www.lawscot.org.uk](http://www.lawscot.org.uk).

## Limits of cover available

### Exclusion or limitation

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

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

## 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.	All
Fines and penalties imposed exclusion.	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.	£10,000 each and every claim including defence costs. The standard excess will reduce to £1,000 where you have registered with and followed the advice of <b>rradar</b> legal 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.	£5,000 other than Legal Pursuit Claims – £2,500 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)**