



**MARKEL (UK)
LIMITED**

Professional...*engaged in a profession
as a means of livelihood*

Risk...*the possibility of incurring misfortune and loss*

Insurance...*Markel?*

www.markeluk.com

Background

Insuring 'Professional Risks' has been the cornerstone of our business for thirty years.

We have always insured the recognised professions, but are perhaps best known for being one of the first Insurers to use our underwriting expertise to great effect by insuring the non traditional 'emerging professions' - often referred to today as 'Miscellaneous Errors and Omissions'.

By taking the necessary time to understand what a client does and to subsequently identify the exposures they face, we are at the forefront of insuring a variety of diverse risks, many of which are complex or unique and do not 'fit' traditional underwriting guides.



A professional practice may trade as a sole practitioner, in partnership or as a limited liability company, generating fees ranging from a few thousand pounds to a few million. We write professional practices from across the whole spectrum.

Professionals owe a duty of care to anybody who might reasonably rely upon the service or advice they have provided. In today's commercial world, clients expect high standards of service and are more inclined to resort to litigation when such standards have not been met.

All professional practices have a legal responsibility in respect of work undertaken for their clients, and in many instances these extend to third parties who have also suffered as a consequence of the original breach of professional duty.

Scope of Cover

Professional Indemnity Insurance is designed to provide protection against such claims, providing an indemnity for damages which are awarded against the practice, for their own legal costs in defending the claim and for costs awarded against them should their defence prove unsuccessful.

Cover is provided on a 'claims made' basis, which means that the policy is designed to respond to claims that are made during the period of insurance, regardless of when the Wrongful Act that caused the claim took place (subject to any retroactive date that may apply).

Limits will apply either on an each claim basis or in the aggregate for the period of insurance, dependent upon the type of exposure.

The vast majority of our policies provide cover on a 'civil liability' basis, which is the widest form available in the market. Where necessary, our wordings do comply with relevant governing body minimum standards and requirements.

Types of Risk

- **Accountants**
- **Architects**
- **Construction Consultants and Engineers**
- **Financial Services and Insurance Brokers**
- **Information Technology Consultants**
- **Surveyors**

...and in addition, a vast array of 'emerging professions'

- **Miscellaneous 'Other Professions'**

- anything ranging from Acoustic Consultants via Management Consultants through to Zoologists

Bespoke Cover

Professional Indemnity policies have traditionally been arranged on a 'stand alone' basis but we provide a 'menu' offering that allows the client to arrange other types of business protection under the same policy.

There is no compromise in the scope of cover afforded under the individual sections of the policy and this 'one-stop-shop' approach provides comprehensive protection under one cost effective arrangement.

Covers

Whilst the Professional Liability is a mandatory section of the policy, the others are optional.

Professional Liability - cover is provided in accordance with a wording that is relevant for the particular profession (as detailed previously).

General Liability - Public Liability cover which is provided on an occurrence basis and Products Liability cover (subject to an aggregate limit).

Directors and Officers Liability - relevant should the practice be a Limited Liability Company or Limited Liability Partnership. Covers the legal liability of directors or officers of the company, legal costs and expenses in respect of investigations, disqualification and extradition proceedings, and company reimbursement. Cover extends to include Public Relations assistance for directors and officers for particular circumstances.



Entity Defence - covers the practices legal costs and expenses in respect of:

- Public Relations Crisis Management - specified events
- Identity Fraud - misrepresentation by a third party
- Investigations – Regulatory, Health and Safety and the like
- Corporate Manslaughter
- Breach of Contract - provision of goods and services
- Pollution - as a result of a wrongful act by a director or officer
- Taxation - tax investigations
- Data Protection Act

Employers Liability - UK Compliant cover catering for all employees

Employment Law Protection - cover in respect of employment disputes and investigations, including employment telephone help-line service. *N.B. Cover not available in Northern Ireland.*

Property Damage - providing cover on an accidental damage basis, includes theft on a non-forcible and violent entry to or exit from the premises and incorporating elements of computer breakdown cover.

Business Interruption - cover is generally provided on a loss of income basis and extends to include denial of access and failure of utilities clauses.



Money and Personal Assault - cover in respect of money in transit, at the premises, in private residences, at exhibition sites or in a night safe at a bank. Extends to include personal accident (assault) resulting from (attempted) robbery.

Specified All Risks - covering portable equipment away from the premises on a worldwide basis (e.g. laptops, mobile phones, cameras, etc.) and linked to the cover provided in respect of office contents under the Property Damage section from a limit perspective.

Fidelity - covering employee dishonesty and third party computer and funds transfer fraud. (N.B. This cover may not be available or cover may be varied in respect of certain professions where the scope of cover provided is in accordance with governing body minimum standards or requirements).

Personal PR Assistance for Directors and Officers

When a Director or Officer has been accused of a wrongful act (the consequences of which could affect his / her livelihood), cover extends to include the costs of using a public relations specialist to deal with adverse press, publicity or media attention within the United Kingdom.

PR Crisis Management for the Entity

In the event of

- allegations of fraud
- serious injury to employees or members of the public
- dismissal or resignation of members of the main board of directors
- official investigations into the entity's affairs

cover extends to include the costs of using a public relations specialist to deal with adverse press, publicity or media attention within the United Kingdom.

Employer Helpline

Available FREE for use by our clients and manned by specialist employment solicitors, this service is provided for specific areas of concern

- Dismissals
- Grievance
- Discrimination
- Redundancy

MARKEL (UK) assist

N.B. The scope of services provided to clients will be dependent upon the covers selected.

Design and Construction

We write a variety of construction risks including those who have their own 'in-house' design or architectural teams, those who appoint external architects and engineers to undertake such work on their behalf, and those who are awarded a design and build contract on the basis of using their customers appointed design consultants (with the possibility of novation liabilities).

Our underwriting takes into account the respective parties responsibilities, such as whether our Assured is acting as the principal contractor or sub-contractor, and if the design risk is their sole responsibility or is one of a contingent nature.

As the type of contractors operating in these areas is so diverse, it is not possible for us to offer a comprehensive 'one-stop-shop' product and so we concentrate our efforts on providing a policy which can cater for their professional and management risks.



Covers

Professional Liability - cover is provided for civil liability (and extends to include dishonesty of employees) which arises from the Assureds design, specification, supervision of construction etc. and includes mitigation costs.

Directors and Officers Liability - an optional section of cover (as detailed previously in the 'Bespoke' section).

Employment Law Protection - another optional section of cover (as detailed previously in the 'Bespoke' section) *N.B. Cover not available In Northern Ireland.*

The types of contractor who would be interested in this type of policy are likely to operate in the following fields:

- **Air Conditioning, Heating and Ventilation**
- **Builders (Domestic and Commercial)**
- **Electrical and / or Lighting**
- **Engineering Contracting**
- **Highways and Roads**
- **Mechanical and / or Process Engineering**
- **Refrigeration**
- **Refurbishment and / or Shop Fitting and / or Acoustics**
- **Water and Sewerage**

Collateral Warranty Review Service

Available FREE for our Construction clients, this facility utilises the services of specialist solicitors who will review submitted Collateral Warranties and respond detailing any requirements and / or recommendations (from a Professional Indemnity Insurance perspective).

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Media Liability

A policy designed specifically for the media industry.

Covers

The main insuring clause relates to publications, transmissions or broadcasts, websites and emails and covers the following risks:

- libel and slander
- malicious falsehood
- false attribution of authorship and passing off work (as your own)
- negligent statement
- unintentional breach of copyright, trademark etc. and other intellectual property rights
- unintentional breach of confidentiality

In respect of other activities, cover extends to include slander, negligent act, error or omission at any book fair, seminar or exhibition and unintentional failure to broadcast or to publish any material which the Assured has contracted to publish or broadcast.

Subject to certain limitations, the policy includes contractual indemnities provided to retailers, wholesalers, distributors and printers in respect of content etc. and there is scope to consider including the likes of authors as 'Joint Assureds'.

Mindful that many clients working in this sector also undertake other related professional activities, the cover has an optional Professional Indemnity section which can be tailored accordingly and affords protection against negligent acts, errors and omissions and unintentional breach of confidentiality in respect of such work.

A loss of documents section completes the protection available.



Educational Establishments

Catering for the professional and management risks of Further and Higher Educational Establishments.

Covers

Executive and Professional Liability -

this mandatory section of the policy protects governors, directors, council members, officers or trustees whilst acting in their capacity as such and also insures the legal liability of the Educational Establishment, its governors etc. and employees with regard to the provision of Professional Services. Cover is provided on a 'civil liability' basis.

Employment Law Protection -

an optional section of cover (as detailed previously in the 'Bespoke' section).
N.B. Cover not available in Northern Ireland.

Fidelity - an optional section covering the Educational Establishment for losses resulting from the dishonesty of their own employees.



Housing Associations

Designed along similar lines to the Educational Establishment product, this policy provides cover for the Housing Association sector.

Covers

Executive and Professional Liability - this mandatory section of the policy protects committee (or sub-committee) members, directors, council members, officers or trustees whilst acting in their capacity as such and also insures the legal liability of the Housing Association, its committee members etc. and employees with regard to:-

- The provision and management of domestic accommodation sheltered housing, etc.
- Advice and design services relating to home improvements or repair to elderly or disabled homeowners / tenants
- Operation and management of community alarm schemes
- Other specified activities

Cover is provided on a 'civil liability' basis.

Employment Law Protection - an optional section of cover (as detailed previously in the 'Bespoke' section). *N.B. Cover not available in Northern Ireland*

Fidelity - another optional section of cover, this caters for employee dishonesty.

This policy wording is also used as a basis for insuring some other types of 'Association' risks.



Risk Management

Our underwriters are encouraged to 'get to know' the client and we seek to help our clients by giving them access to a number of specialist services.

MarkelUKAssist

MarkelUKAssist is a resource that we make available to those of our clients who may benefit from the professional help and advice on offer. The service is generally FREE of charge.

(N.B. Service will be restricted where client has elected not to insure all aspects of the policy).

Resource Centre

Access to a wealth of useful information via the Internet, providing practical, legal and risk management news and advice, including:



CRB / SCRO Background Checks

Access to a registered CRB / SCRO background check umbrella organisation, Complete Background Screening Ltd, with the advantage of **discounted** rates and NO REGISTRATION FEE.



PR Crisis Management Service

Use of our public relations specialist, The Counsel House, to help you manage media attention in the event of a (defined) crisis (*subject to policy terms and conditions*).



Employer Helpline

Access to a FREE Employer helpline manned by employment law specialists *Beachcroft LLP*. Assistance is available for any employment law dispute that could lead to a claim under your Markel policy.



Employer Assistance

Access to a wealth of useful information including useful employment guides and legislation updates.

Collateral Warranty Review Service

Available for Construction clients, the service is usually provided by specialist law firm *Beachcroft LLP* who will review and comment upon Collateral Warranties submitted to them.



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www.markelukassist.com

MarkelUKOnline

Our MarkelUKOnline facility allows you to quote, bind and renew business online.

For further information or to request a demonstration of the system please contact your local branch underwriter.

MARKEL (UK) online



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Policyholders must refer to the actual policy issued for the binding terms, conditions and exclusions of cover.

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