

Carrier Name	AXIS Specialty Europe
Product Name	Adult & Child Care Services
Reference / UMR (Binder)	B1776BL202764O
Class of Business	Public Liability, Products Liability, Employers Liability, Medical Malpractice & Professional Indemnity, Property Damage and Business Interruption
Date	01/11/2022

Product Information

This product has been subject to B&Ws POG process and has been reviewed and signed off by our POG Panel having assessed the Products Customer Risk, Product Risk, Sales Risk and Service Risk.

The policy is sold on a combined package basis. The Public & Products Liability and Medical Malpractice and Professional Indemnity Sections are compulsory. The Employers Liability, Property Damage and Business Interruption sections can be purchased separately providing the Public & Products Liability and Medical Malpractice and Professional Indemnity Sections are in force.

Public Liability

Cover for legal liability in respect of personal injury or third-party property damage arising from the Insured's business activities.

Products Liability

Cover for legal liability in respect of personal injury or third-party property damage caused by, or arising from, any products manufactured, supplied, repaired or altered by the Insured, where the injury or property damage occurs away from the premises owned or leased by the Insured.

Additional Coverages:

The product can be extended to include additional coverages or increased sub-limits which would be dependent on the clients individual circumstances. These are reviewed and the premium calculated on an individual basis. Standard additional cover includes:

- payment for court attendance expenses in connection with a claim; £250 per day and £150 for each employee up to £5,000
- indemnity to others
- legal fees and expenses incurred for the representation at any coroner's inquest or fatal accident inquiry

Optional Extensions:

- Cover for physical, emotional and sexual abuse up to £1,000,000 limit which is inclusive of the total limit and provided on a claims made basis of cover.

Employers Liability

Covers damages, compensation costs and legal fees for existing and previous employees which claim injury or illness caused whilst working for the Insured's. Compulsory insurance in the UK, we offer £10m LOI as standard.

Additional Coverages:

- payment for court attendance expenses in connection with a claim; £250 per day and £150 for each employee up to £5,000
- indemnity to others
- legal fees and expenses incurred for the representation at any coroner's inquest or fatal accident inquiry.

Optional Extensions:

- none.

Professional Liability and Medical Malpractice

Provides cover for financial loss arising from mistakes made by the Insured providing advice, medical services, care or treatment that results in an injury or death.

Additional Coverages:

The product can be extended to include additional coverages or increased sub-limits which would be dependent on the clients individual circumstances. These are reviewed and the premium calculated on an individual basis. Standard additional cover includes:

- payment for court attendance expenses in connection with a claim; £250 per day and £150 for each employee up to - wrongful detention and false imprisonment of a service user, including such claims made under the Mental Health Act 1983, Human Rights Act 1998, Mental Capacity Act 2005, Mental Health Act 2007 or at common law
- cover for claims for any alleged libel, slander or defamation which was committed in good faith, including such claims in tort or under the Defamation Act 2013 or the Defamation Act (Northern Ireland) 1955
- claims made against any healthcare assistants, nurses and allied health professionals whilst working for you and on your behalf.

Optional Extensions:

- none.

Property Damage

This cover is designed for businesses that operate from dedicated business premises that are either owned or rented from common risks like fire, flood, burst pipes or falling trees and we will cover the cost of the repairs. The policy also covers theft or accidental damage to business contents.

Additional Coverages:

The product can be extended to include additional coverages or increased sub-limits which would be dependent on the clients individual circumstances. These are reviewed and the premium calculated on an individual basis. Standard additional cover includes:

- replacement of locks up to £2,500
- personal effects and clothing of service users up to £2,500
- glass up to £2,500
- alarm foil and lettering up to £1,000
- trace and access up to £25,000
- aerials up to the buildings sum insured
- sanitary fixtures up to the buildings sum insured
- capital additions up to 10% of the buildings sum insured
- temporary removal of documents
- automatic reinstatement of sum insured

Optional Extensions:

- day one uplift cover (inflation protection)
- in the event of damage to a building, rent, up to the sum insured, where the building is unfit for occupation

Loss of Money and Personal Assault:

Loss of money from the premises and whilst in transit and protection against personal assault.

Goods in Transit:

Damage to property in transit in the course of loading and unloading

All Risks to Business Equipment:

Damage to business equipment whilst away from the business premises

Book Debts:

Debt balances which are owed and the Insured are unable to trace or establish as a result of destruction of or damage to the any books of accounts, other business books or records

Chilled Stock Deterioration following Refrigeration Breakdown:

Cost of replacing chilled stock, freezer cabinet, deep freezer, cold room, cold store or chilled cabinet at the premises due to a change in the temperature

Conditions:

Property Damage

- Single external doors meet the minimum-security requirements set out in the policy.
- Fire extinguishing appliances contained in the premises must be maintained and the insurer must be notified without delay of any disconnection or failure of the automatic fire alarm

Book debts:

- The Insured must keep paper records of outstanding debt balance in fire resistant safes or cabinets when not in use;
- The Insured must retain paper copies at the premises of any original paper records of outstanding debt balances that leave the premises;

This product is offered to clients in England, Wales & Scotland

The product is distributed via regional national broking houses and independent brokers all are FCA approved. The business is written on an open market basis.

Policies typically run for 12 months, or longer.

Claims are handled by AXIS Specialty Europe or on a delegated authority basis by an approved Third-Party.

Complaints handling will be determined by the Binding Authority Agreements.

Target Market

SME commercial business

This product should be sold in line with FCA regulation and has been approved for retail broker. TOBAs are issued to FCA regulated UK regional brokers and independent brokers. All business is placed through professional insurance brokers who we work with to target clients with underwriting solutions across a variety of care clients and sectors.

Types of customer for whom the product would be unsuitable

This product would not be suitable for consumers, non-UK clients or clients who do not provide any care or related services. Or direct to consumers or clients.

Any notable exclusions or circumstances where the product will not respond

Wordings will be reviewed between insurers and Burns & Wilcox. Standard Exclusion clauses apply.

Main Public and Products Exclusions include:

- injury to employees
- communicable disease exclusion
- cyber exclusions
- damage during the fixing or correcting of defective products supplied, or the cost of recalling them
- injury or damage arising out of or in connection with any product
- deliberate, conscious or intentional disregard of the need to take all reasonable steps to prevent injury or damage
- financial loss unaccompanied by injury or damage
- claims arising from failure of computer equipment
- liquidated damages, penalty clauses and fines

Main exclusions Products Liability include:

- injury to an employee travelling in or on, or getting into or out of, a vehicle where any Road Traffic Act legislation applies
- communicable disease exclusion
- cyber exclusions
- claims for any amount payable under workman's compensation, social security or health insurance legislation or any similar legislation
- claims for any medical or repatriations costs
- work in or on or travel to or from any offshore installation or support vessel
- liquidated damages, penalty clauses and fines
- financial loss unaccompanied by injury or damage

Main exclusions Employers Liability include:

- losses incurred by the insured (first party losses) are not covered (with some exceptions as outlined in the policy)
- standard market exclusions
- cyber exclusions
- war
- injury to an employee travelling in or on, or getting into or out of, a vehicle where any Road Traffic Act legislation applies

- claims for any amount payable under workman's compensation, social security or health insurance legislation or any similar legislation;
- claims for any medical or repatriations costs;
- work in or on or travel to or from any offshore installation or support vessel;
- liquidated damages, penalty clauses and fines; or
- financial loss unaccompanied by injury or damage

Main Exclusions Medical Malpractice and Professional Indemnity include:

- communicable disease exclusion
- cyber exclusions
- liability for claims against any person in their capacity as a director, officer or trustee
- any claim for passing off or breach of any copyright, patent or other intellectual property right
- the failure to arrange or maintain insurance
- any claim or liability for hepatitis, Human T-Cell Lymphotropic Virus type III (HTLV III) or Lymphadenopathy Associated Virus (LAV), Human Immunodeficiency Virus or Acquired Immune Deficiency Syndrome, or Creutzfeldt- Jakob Disease or any other syndrome, disease, condition or virus, howsoever it may be named. This exclusion does not apply to any claims for the failure to provide care, treatment, testing of any persons for the medical conditions noted
- any event prior to the retroactive date shown on the schedule.

Main Property Damage exclusions include:

- deterioration and damage caused by vermin
- properties left unoccupied for more than 30 days

Damage caused by:

- building works, renovation or refurbishment unless insurers have agreed to cover the risks of such work prior to the damage
- the bursting of a boiler (not being a boiler used for domestic purposes only), economiser or other vessel, machine or apparatus in which internal pressure is due to steam only
- by storm to any property which has been left in the open
- digital and cyber risks
- faulty or defective materials, design or workmanship
- mechanical or electrical breakdown
- you or your employees arising from fraud or dishonesty
- wet or dry rot, shrinkage, evaporation, loss of weight, dampness, dryness, marring or scratching

Damage to:

- any buildings or foundations following collapse settling, cracking, shrinkage or expansion
- livestock, growing crops or trees
- property in transit

Loss of Money and Personal Assault:

- dishonest acts of directors, officers or employees
- loss of counterfeit money

Goods in Transit:

- theft or attempted theft from an unattended vehicle
- injury occurring after 12 months following an incident
- damage arising from wear and tear, natural deterioration, mildew, vermin or inherent defect
- damage caused by electrical or mechanical failure of the goods
- contamination of the goods
- theft by the insured or any director, officer, employee
- damage caused by moth, vermin, inherent vice, climatic conditions, wear and tear, mechanical derangement gradual deterioration or faulty manipulation

All Risks to Business Equipment:

- damage to any part of any item of business equipment caused by its own ignition, electrical breakdown or burn out
- damage caused by the actual process of repair, renovation or servicing
- damage to business equipment while contained in an unattended vehicle unless in a locked container
- damage caused by digital and cyber risks

Book Debts:

- losses as a result of defect in the records, erased or distorted computer records
- deliberate falsification, fraudulent acts, mislaying or misfiling.

Chilled Stock Deterioration following Refrigeration Breakdown:

Deterioration or decay of chilled stock resulting from the:

- deliberate act of any public electricity or gas supplier to withhold or restrict supply
- failure of the public electricity or gas supply due to strikes or any other withdrawal of labour of any public electricity or gas supplier

Other information which may be relevant to distributors

The Product is subject to periodic controls which includes a review of management information relating to claims, complaints and renewal retention rates. In addition declinatures and conversion rates are measured and monitored at least on a monthly basis. Complaints volumes for the product will be monitored and a root cause analysis will be performed to ensure any systemic issues with the product which may affect customer outcomes or product value, are swiftly rectified.

Burns & Wilcox Product Review Central Contact –

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Date of Fair Value Assessment Completed:	01/11/2022
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Assessment Outcome:

This is a standard market product arranged and distributed via a regulated broker providing advice to the insured. Each party in the distribution chain providing a service that is commensurate to their remuneration levels. There is nothing in this product that would indicate that fair value is not provided to the customer.

Expected Date of Next Assessment:	01/02/2024
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