



# Management liability

April 2021

## Why choose AXA's Management liability for residential management associations and residential management companies insurance

Our Management liability for Residential Management Associations and Residential Management companies policy is tailored to your needs as a residents association or company.

### 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.

### Innovative covers available

Covers include Brexit cover, tax investigation, restrictive covenant and third party fraud cover.

### 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 there is a 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 insurance 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

## Management liability Summary of cover

### Directors' and officers' liability (standard cover)

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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).
  - £100,000 additional limit for non-indemnifiable loss for each insured person.
  - Costs of up to £50,000 for **rradar** legal to investigate any new circumstance.
  - Costs of up to £250,000 for deprivation of assets.
  - Up to £25,000 for an insolvency hearing
  - 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, officers or employees caused by the operation or administration of any pension scheme, employee benefit scheme or trust fund.
  - Claims against directors for an unlimited period following retirement during the period of insurance.
  - Claims caused by a failed public offering.
  - 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 (optional cover)**

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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 circumstances defined to not include routine employment disciplinary events and dismissals.
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### Company legal liability (optional cover)

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- Legal costs, awards and settlements for any claim or regulatory action brought against you.
  - Claims arising from the exit of the United Kingdom from the European Union (Brexit).
  - Legal costs of representing you at an 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.
  - Optional cover up to £100,000 for employee dishonesty, third party electronic funds transfer, third party fraud and forgery and telephone fraud.
  - Claims caused by a failed public offering.
  - Up to £25,000 for tax investigations.
  - Costs of up to £50,000 for **rradar** legal to investigate any circumstance.
  - Cover for Fees for Intervention (FFI), Environment Agency fees and Pension civil penalties.
  - Costs of up to £100,000 for **rradar** legal to contact your customers and/or suppliers where legally required to following a breach of data protection law.
  - Crisis public relations costs of up to £50,000 following sustained negative social media.
  - Defence costs up to £100,000 for breach of contract claims.
  - Defence costs up to £50,000 for infringement of copyright claims.
  - Pollution clean up costs of up to £25,000.
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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

- Pro-active advice to help you avoid getting into trouble in the first place.
- **Free rradarstation enquiry line** – our **rradarstation** telephone and email enquiry lines are available for you and your nominated employees to use; offering your business the very best in business related regulatory or legal advice. Staffed by UK based experts including HR professionals, health and safety specialists and former tax inspectors, as well as leading accountants, solicitors and barristers, **rradarstation** offers advice on HR, employment, health and safety, and every other business-related regulator, allegation, investigation and prosecution, as well as commercial disputes.
- **rradarstation online\*** – access **rradarstation's** online digital resources at any time. **rradarstation** online is packed full of easy to read compliance and risk management information, including templates, draft contracts of employment, specimen letters, 'how to' articles, case studies, videos, training, guides, policies and more.
- **rradargrace\*** – your business' virtual legal assistant: for instant legal support, no matter where or when you need it. Download **rradargrace** as an app to your smart device/ phone, or use her online and she will answer your business-related legal FAQs and deliver you guidance, tools and templates, at the verbal ask of your question or the click of a button. **rradargrace** is regularly updated by our legal and risk management experts to support more business-related legal areas. She will also become more helpful and tailored to your business needs, the more your business works with her. **rradargrace** is a market-leading, legal tool and is available to you now, under this policy.

## Additional services included *continued*

- Updates and alerts on regulatory changes.
- **24/7 Crisis Legal Helpline** – Should an incident occur, **rradar's** experienced team of expert defence, investigation lawyers and industry experts are on hand to help you when you need expert legal advice. Advice can be provided over the phone, by email, or face to face wherever needed. **rradar** will provide on-going support throughout a case and aim to provide advice to prevent the same problem from happening again in the future.
- **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.

### Contact

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**Enquiry line:** 0800 955 6111 (Mon-Fri 8am-6pm)

**crisis line** – outside office hours: 0800 955 6222

**Email:** [contactus@rradar.com](mailto:contactus@rradar.com)

**Address:** 6 Beacon Way , Hull, HU3 4AE

### Digital access\*

You will need your **rradar** services account details to log-in to **rradarstation** online or **rradargrace**. Please check your email account for an email from **rradar** with these details, from when you took out the policy, or speak to your broker to request **rradar** services access.

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## Limits of cover available

### Directors' and officers' liability and Company legal liability

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

### Employment practice liability

£100,000

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)
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
Overseas subsidiary company 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 Company legal liability
Contractual payments exclusion.	Employment practices liability
Fire combustibility exclusion.	Directors' and officers' liability and Company legal 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'/Trustees' 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.	Legal pursuit claims: £2,500 All other claims: £5,000

## **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)**