



Church Insurance Made Simple

Your Guide to Legal Expenses Insurance

Introduction

Welcome to our short guide on legal expenses insurance, available as part of your Cathedralguard insurance policy. Legal expenses insurance provides you with specialist legal representation to manage your legal issue and pay your costs, against a range of disputes.

You also have access to a 24/7 helpline providing advice on a wide range of legal issues affecting the cathedral body, whether or not you are entitled to legal representation for a claim under your legal expenses cover.

Our legal expenses insurance is provided in collaboration with our selected specialist partner, DAS Legal Expenses Insurance Company Limited. We are responsible for paying your claim, which DAS manage on our behalf.

This guide gives you an overview of your cover, examples of how DAS can help our cathedral customers and details of how to get legal advice or make a claim.

If you have a legal issue, before you appoint any solicitor or do anything else, please contact DAS so we can help you choose the right course.

For legal advice or a legal claim, call DAS directly on

0345 608 1252

(available 24 hours, seven days a week)

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Please have your policy number available.

Using the helpline can head off a problem and avoid the need for more formal action later.

For more information and guidance, go online at
www.ecclesiastical.com/legalexperiences

Who are DAS?

DAS are the largest legal expenses insurance provider in the UK, and have been protecting individuals and businesses for over 40 years. DAS are also part of a global insurance group, which gives them the size and strength to offer in-depth support, specialist teams and an impressive portfolio of products and services.



DAS have access to a range of 'preferred suppliers', tried and tested law firms who specialise in the areas of law you need. Tapping into this resource will help you navigate the best route forward and resolve your problems with speed and efficiency.

Together, Ecclesiastical and DAS have developed specialist covers to support the Anglican Church and we have been working to make legal expenses insurance easier to understand, which is why we have produced this guide for our cathedral customers.

What does your legal expenses insurance cover?

Legal expenses insurance is an option available as part of your Cathedralguard policy.

It is designed to help protect the cathedral for a range of common problems such as:

- Employment disputes & compensation awards
- Contract disputes
- Debt recovery
- Property protection and personal injury
- Tax protection.

Under the heading of Legal Defence, the policy also provides legal defence cover for the cathedral body, its employees and clergy if they are subject to certain prosecutions or actions incurred in direct connection with your activities.

In civil cases, cover is subject to a 'prospects of success' clause, which is explained in the important conditions table below. An upgrade is available which means that this clause does not apply to employment disputes and legal defence claims.

Please contact us if you want to discuss your limits or level of cover.

Are there any important conditions of cover?

For all types of claims, there are key conditions that apply. It is important that you are aware of the following:

Key condition	Explanation
Prospects of success	In civil cases, your solicitor must believe you are more likely than not to win your case (51% or higher). If your appointed solicitor no longer thinks this is the case, DAS will cease to cover the claim. In this situation, all agreed costs up until this point will be paid for by DAS. Additional cover can be requested to remove the prospects of success condition from employment disputes and legal defence.
Costs that DAS have not agreed to	We will not cover any costs that we have not agreed to. This includes situations where you have incurred costs before DAS has accepted the claim. It is vital that you contact DAS before speaking to a solicitor yourself.
Incidents before policy inception	Any claim where the event happened before your legal expenses insurance started will NOT be covered.
Compensation, fines or damages	Your legal expenses policy does not cover compensation, fines or damages you may be required to pay, unless specifically stated.

For full details of cover, please refer to your cathedral insurance summary of cover and policy document.

Legal expenses insurance examples

Whilst cover is provided for a variety of situations, in this guide we will focus on the three most common areas where claims arise. To see the full areas of cover, please refer to your policy wording document or visit www.ecclesiastical.com/churchlegal.

Contract disputes

As part of the general running of your cathedral, you will enter into many contractual agreements. For example, if work is needed to fix a leaking roof, a contractor will be required to attend to the problem. What if a disagreement occurs with the contractor and you are left with a half-finished roof? In such circumstances, DAS can appoint a specialist solicitor to negotiate your legal rights.

However, it is important to know that claims will only be covered if:

Where a dispute relates to money owed to you, the claim will need to be made within 90 days of the money becoming due

The amount in dispute exceeds £250 (including VAT)

The appointed solicitor believes there are good prospects of success.



Claim example

A cathedral employed a builder to construct an extension for a visitor centre. During the construction work, there was a theft on the site and a large amount of fixed materials were stolen from the building. The cathedral held the builder responsible. The builder insisted that it was the cathedral's responsibility and that they would need to claim on their insurance.

The cathedral disagreed with the builder's response and needed to know its options so made a call to the DAS Legal Advice service. The legal adviser felt that the cathedral had the potential to make a claim under the contract disputes element of cover in the Cathedralguard policy. The builders may have breached the contract by failing to safeguard the site.

The legal adviser took the initial claim details and notified the DAS specialist team of the new claim. The claims handler called the cathedral the next day to discuss the claim (during which time the cover had been checked and the claim was accepted).

The claim was passed to a preferred solicitor who then made contact with the cathedral to support them through the claim and confirmed the prospects of success were high. The case settled in favour of the cathedral and they received a settlement from the builder.

Legal defence – statutory notice

There are various activities that a cathedral will undertake that may require permissions from the local authority or government. If any statutory notice is imposed on a cathedral we can help appeal the decision for the benefit of the cathedral.

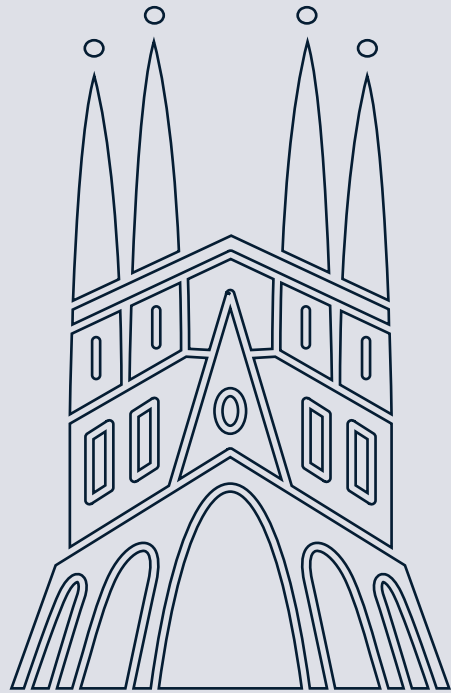


Claim example

A cathedral had been hosting weddings on its land using a function room that was part of a café and visitor centre. The local council received a number of complaints from a neighbour regarding noise nuisance. This led to the council issuing a statutory notice requiring entertainment to be restricted to certain hours.

The required timings could have affected bookings, so the cathedral sought to appeal the terms of the notice which it felt were unfair, particularly taking into account the measures it had already taken to minimise noise and inconvenience.

The cathedral wanted to appeal the statutory notice so it made a call to DAS UK. The claims handler took the cathedral through the initial claims process and carried out a cover check. The claim was passed to a preferred solicitor who then made contact with the cathedral to support them through the appeals process.



Property protection

Cathedrals will often contain highly valuable items. Your DAS policy can protect your legal rights if you have a dispute relating to the property of your cathedral. This also extends to protection of your land to help guard you from a nuisance, damage or trespass.

It is important to know that this covers you for the costs of pursuing cases and does not cover the costs of defending claims made against you (other than in defending a counter-claim). For a full list of exclusions, please refer to your Cathedralguard policy.



Claim example

A developer acquired a parcel of land bordering a cathedral and proceeded to obtain planning permission for ten new houses. Initial construction began but it was found that a fence marking the boundary had been removed and replaced in a new location which was actually within the cathedral boundary.

The cathedral made a call to the DAS UK Legal Advice service. The legal adviser felt that the cathedral had the potential to make a claim under the property protection element of cover in the Cathedralguard policy. The actions taken by the developer had effectively resulted in a section of the cathedral's land being trespassed upon.

The legal adviser took the initial claim details and notified DAS UK of the new claim. The claims handler called the cathedral the next day to discuss the claim (during which time the cover had been checked and the claim accepted). The claim was then passed to a preferred solicitor who made contact with the cathedral to support them through the claim and confirm the prospects of success were high. Negotiations took place with the developer who agreed to carry out rectification work and restore the fence to the correct location.

Making a claim for legal expenses – a quick summary

You have a legal problem.



1



24
hours

2



5
days

3

4



5



6



You can call the 24-hour legal helpline on **0345 608 1252**

Our call handler will talk you through how we may be able to help you.

OR

You can write to us, providing details of the claim, at

**DAS Legal Expenses Insurance
Company Limited
DAS House
Temple Back
Bristol BS1 6NH**

You will be advised that a Claims Handler will assess the claim and call you back within one working day.

Your dedicated Claims Handler will contact you by your preferred method to discuss the claim and any further information needed.

If your Claims Handler has enough information at this point, they will be able to determine if the claim is covered.

If we are able to cover the claim, your Claims Handler will explain how we appoint solicitors and discuss the next stages.

OR

If we are unable to cover the claim, your Claims Handler will explain why.

You receive confirmation of the contact details of a solicitor, and how the solicitor will take you through the next steps.

Legal Advice Helpline

In addition to the insurance cover mentioned above, you also have unlimited access to the Legal Advice Helpline. This is designed to provide confidential telephone advice on legal problems under UK and EU law. It is available 24/7 for legal matters in England and Wales. For countries outside of England and Wales, it is available 9am–5pm Mon–Fri, excluding public and bank holidays.

The Legal Advice Helpline can offer advice on a wide range of legal issues affecting the cathedral body. For example, you could be organising a fundraising event and want to know what your legal responsibilities are, or know what action you need to take to stop someone continually trespassing on your land.

The helpline service cannot help in the following circumstances:

- If your legal query does not relate to a specific legal problem
- To legally assess correspondence or provide correspondence or provide written advice.

For DAS legal advice and claims, please call the Cathedralguard team on **0345 608 1252**.

How to make a claim or access legal advice

Whether you are looking to make a claim or access the Legal Advice Helpline, please call DAS directly on **0345 608 1252**. Please remember to have your policy number to hand.

If you need to contact them in writing, you can do so at:

DAS Legal Expenses Insurance Company Limited
DAS House
Temple Back
Bristol
BS1 6NH

If you wish to make a claim, it is important that you contact DAS before you incur any legal costs, such as asking other legal professionals for advice.

Useful contacts

For general enquiries, all products and complaints, please call Ecclesiastical on **0345 777 3322** Monday to Friday 8am–6pm excluding bank holidays. We may monitor or record calls to improve our service.

Email us at corporateclient@ecclesiastical.com

Visit us at www.ecclesiastical.com/church

For claims other than legal expenses, please call **0345 603 8381** from the UK or **+44 (0) 1452 872 701** from abroad.

Benefact House, 2000 Pioneer Avenue,
Gloucester Business Park, Brockworth,
Gloucester GL3 4AW



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