

Your guide to Legal Expenses Insurance



Introduction

Welcome to our short guide on Legal Expenses Insurance, included within your church insurance policy. Our Legal Expenses Insurance is provided in collaboration with our selected specialist partner, DAS Legal Expenses Insurance Company Limited. This cover is only available as part of your church insurance cover. We are responsible for paying your claims, which DAS manage on our behalf.

The benefit of using DAS is that they give you access to specialist law firms who can resolve your problems with speed and expertise. If you are considering using your own solicitor, before you appoint anyone please make sure you speak to DAS.

This guide gives you an overview of your cover, some real-life claim examples where DAS has helped our church customers and details of how to get legal advice or make a claim.

For legal advice or a legal claim

Call DAS directly on

0345 266 0029

(available 24 hours, seven days a week)

Don't forget to have your policy number available.

For more information and guidance, go online at

www.ecclesiastical.com/churchlegal



Who are DAS?

DAS are the largest Legal Expenses Insurance provider in the UK. DAS are proud to have pioneered the introduction of legal expenses insurance 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.



Together, Ecclesiastical and DAS have developed specialist covers to support the Anglican Church and we have been working together to make Legal Expenses Insurance easier to understand, which is why we have produced this new guide for church customers.



What does your Legal Expenses Insurance cover?

You will normally have Legal Expenses Insurance included under your church policy.

It is designed to help protect your PCC, clergy, employees and authorised volunteers during civil legal disputes which we believe you are likely to win, providing support, advice and cover against legal costs.

Legal Expenses Insurance also covers criminal disputes, and cover is not subject to us believing that you are likely to win.

Cover is provided for a wide variety of situations; in this guide we will focus on the three most common areas where claims arise using real Ecclesiastical church customer case studies. To see the full areas of cover please refer to your Policy Wording document or visit www.ecclesiastical.com/churchlegal.

In addition to our Legal insurance cover, policyholders also have unlimited access to a Legal Advice Helpline, which can provide telephone legal advice on all areas of UK and EU law.

Your Legal Expenses policy does not cover compensation, fines or damages you may be required to pay unless specifically stated.

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 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.
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 they accept a 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.

For full details of cover please refer to your church insurance Summary of Cover and Policy Document.

Legal Expenses Insurance case studies

Contract disputes

As part of the general running of your church, you will enter into many contractual agreements. For example, if work is needed to a leaking roof, a contractor will be required to fix 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:

- the amount in dispute exceeds £250 (including VAT)
- where a dispute relates to money owed to you, the claim will need to be made within 90 days of the money becoming due
- your solicitor believes there are good prospects of success.



Claim example

A PCC 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 lead was stolen from the roof. The builder insisted that it was the church's responsibility and that they would need to claim on their insurance. The church disagreed and made a claim on their legal expenses policy.

DAS assessed the claim and agreed that the church was likely to win. A solicitor was then appointed to represent the church. The case settled in favour of the church and they received a settlement from the builder. The policy paid for the agreed legal costs to resolve this case.



Legal defence

During the running of your church you will naturally have some legal obligations. Your policy can offer protection if the PCC, its clergy, employees or volunteers are accused of criminal misconduct. This can help from the point that allegations have been made, through to situations where criminal proceedings have been issued through the courts.

It is important to know that any claims relating to the ownership or driving of a motor vehicle, for which you do not have valid motor insurance, are **not** covered.

Continued overleaf



Claim example

A parish priest was criminally charged with theft and false accounting and was suspended from his church. He contacted the DAS Legal Advice Line to discuss the situation. The advisor informed him that he could make a claim for legal defence under the church insurance policy. A solicitor was then appointed to fight his case during a police investigation which took three years to complete.

Following legal representations from his solicitor, the high bailiff found the reverend not guilty on all charges. He was subsequently acquitted of all charges and allowed to return to his role. DAS paid for all of the agreed legal costs.



Property protection

Churches 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 church. This also extends to protection of your land to help guard you from a legal 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 church policy.



Claim example

A church called the DAS Legal Advice Helpline after a wall on neighbouring land was causing damage to a shed on the church's property. The advisor informed the church that they could make a claim on their policy.

DAS assessed the claim and a solicitor was appointed to investigate the church's case. Following legal representation, the neighbour accepted responsibility for the wall and agreed to pay to put right the damage caused by their wall.

DAS paid for all of the legal costs.



Making a claim for Legal Expenses – a quick summary



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 every area of law. 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 further information, call us on

0345 777 3322

(Monday to Friday 8am–6pm excluding bank holidays)
We may monitor or record calls to improve our service.

You can email us at

churches@ecclesiastical.com

Or visit

www.ecclesiastical.com/church

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 266 0029**. 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.



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Ecclesiastical Insurance Office plc (EIO) Reg. No. 24869. Ecclesiastical Insurance Group plc (EIG) Reg. No. 1718196. Ecclesiastical Life Ltd (ELL) Reg. No. 243111. E.I.O. Trustees Ltd Reg. No. 941199. All companies are registered in England at Beaufort House, Brunswick Road, Gloucester, GL1 1JZ, UK. EIO and ELL are authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority.