

# summary of cover

CARE INSURANCE



Version 2

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# This insurance policy is designed to meet the needs of a wide spectrum of care providers from registered care homes and providers of domiciliary care or supported living, through to day-centres and hospices.

In addition to the core covers of property damage, liability and business interruption, the policy includes, as standard, equipment breakdown plus legal expenses with statutory registration protection and employment practices legal protection. A full range of professional covers such as malpractice and management liability is also available.

- The policy is underwritten by Ecclesiastical Insurance Office plc.
- This policy summary does not contain full details and conditions of the insurance – these are located in the policy wording.
- We will send the policy to you after you have taken out the insurance, but it is available beforehand from us or your advisor, on request.

- The policy contains full details of our complaints procedure should you have a complaint against Ecclesiastical Insurance Office plc. If you are not satisfied with our response, you may have the right to take your complaint to the Financial Ombudsman Service. This complaints procedure does not affect your right to take legal proceedings.
- The policy shall be governed by and construed in accordance with the law of England and Wales unless your central administration and/or place of establishment is located in Scotland, in which case the law of Scotland shall apply.
- Our FCA register number is 113848. Our permitted business is general insurance.

You can check this on the FCA's register by visiting the FCA's website [www.fca.gov.uk/pages/register](http://www.fca.gov.uk/pages/register)

or by contacting the FCA on 0800 111 6768.

# Property damage (buildings, contents and stock)

## Features and benefits

- Wide range of insured risks such as fire, theft, storm, flood and malicious damage.
- Accidental damage and subsidence cover included as standard in most instances.
- Inflation protection – you can choose either index-linking or an automatic 15% (or higher at your request) uplift to sums insured.
- For buildings, subject to eligibility, as a value-added service at no additional charge, our surveyors can provide advice regarding the sums to be insured.

## Extensions include:

- Cover for belongings of resident service users whilst in your premises. Limits of £500, £1,000 or £2,500 per resident service user available.
- Up to £5,000 'all risks' cover, in any one period of insurance, for unspecified property anywhere in the UK. This includes up to £500 per person (£250 per item) for the property of resident service users. Option to specify items and extend cover to Europe or Worldwide.
- Up to £10,000 for reasonable measures you take to avoid impending damage by an insured event.

## Significant or unusual exclusions or limitations

- Standard excess of £100 applies to personal belongings and £1,000 for subsidence. For all other claims the excess will be agreed with you and confirmed on the policy schedule.
- If the premises become unoccupied, untenanted or not in use, you must tell us. Cover will reduce to fire, lightning, explosion and aircraft unless we agree otherwise.
- You must at all times keep the sums insured at a level that represents full value. If you do not, your claim may be reduced in proportion to the degree of underinsurance (but not if our surveyors' sum insured advice applies).

# Equipment breakdown

*Note: automatic cover if Property damage selected*

## Features and benefits

- Pays to repair or replace electrical or mechanical equipment which breaks down. This includes patient lifting equipment, laundry equipment, lifts, stair lifts, central heating and air conditioning systems.
- Breakdown of computers anywhere in the EU, whilst in your or your employees' custody or control, up to £250,000 in any one period of insurance, if the cost is not recoverable under a maintenance agreement, warranty or guarantee.
- Business interruption cover for covered equipment up to £30,000 in any one period of insurance, subject to the Business interruption section of cover being operative.

## Significant or unusual exclusions or limitations

- MRI scanners, CT scanners, PET scanners, kidney dialysis equipment, lithotripters and linear accelerators.
- Any patient treatment equipment with an individual replacement value greater than £115,000.
- In private dwellings: kitchen and food preparation equipment, laundry and cleaning equipment and audio-visual equipment.
- The excess under this section will be the same as the excess that applies under the Property damage section.

# Business interruption

## Features and benefits

- Covers loss of revenue following an event insured under the Property damage section.
- You choose your loss of revenue annual sum insured. This includes additional costs of working in order to minimise a loss of revenue. Cover is provided up to a period which can be 12 months, 18 months, 24 months or 36 months (the maximum indemnity period).
- Automatic top-up of £25,000 for additional increase in cost of working, to keep the business running.
- If you don't need revenue cover, you can insure for additional cost of working only, choosing your sum insured.
- Specific cover for re-housing service users – you can specifically insure the costs of re-housing resident service users after an insured event, even if this is not necessary to protect your revenue or keep your business going.

## Significant or unusual exclusions or limitations

# Public & products liability

## Features and benefits

- Cover against injury to others or damage to their property. Standard cover is £5,000,000, other limits available. Legal costs and expenses payable in addition.
- Personal liability – at the policyholder's request, the policy covers the personal legal liability of resident service users and resident staff of the business if not insured elsewhere.
- Theft of service users' property – cover includes the legal liability of the policyholder against theft of service users' property, i.e., physical goods or cash – by employees or volunteers of the business. To cover your legal liability for fraudulent acts by employees, the professional indemnity section is available.
- Libel and slander – covers the legal liability of the policyholder for libel or slander, up to £250,000 inclusive of all legal costs and expenses.
- Legal costs and expenses for defending prosecutions under the Health and Safety at Work Act, Consumer Protection Act or Food Safety Act, up to £500,000 any one claim.
- Legal costs and expenses for defending prosecutions under Corporate Manslaughter legislation up to £5,000,000 for all claims in any one period of insurance.
- Up to £25,000 for all claims in total made in any one period of insurance for associated public relations crisis management, when we accept a claim under the Liabilities section.

## Significant or unusual exclusions or limitations

- Legal costs and expenses for claims arising from the USA or Canada are included within the limit of indemnity.
- Standard limit of £2,000,000 (or the Public liability limit of indemnity if less), inclusive of legal costs and expenses, applies for all claims in any period of insurance relating to abuse.
- Excluding any claim connected with any error or omission in the provision of professional services.
- £250 excess applies for damage to property.

# Employers' liability

## Features and benefits

- Cover against legal liability for injury to employees, £10,000,000 inclusive of all legal costs and expenses (£5,000,000 if terrorism-related).

## Significant or unusual exclusions or limitations

# Malpractice - optional

## Treatment malpractice

Our Treatment malpractice cover is suitable for many risks including most services provided at, for example, residential homes with personal care. It covers the legal liability of the policyholder as proprietor of the business for accidental injury or illness, incurred in connection with a range of treatments given. This cover is on a 'losses occurring' basis, which means we will deal with incidents which occur during the time we are on cover. If you are in any doubt as to whether a treatment or service you provide is covered by our Treatment malpractice cover, please speak to us or your broker.

## Features and benefits

- Provides cover for the provision of:
  - prescribed medical or dental treatments
  - nursing care
  - the supply of medicines and drugs
  - personal grooming services such as hairdressing, chiropody, podiatry, manicure and massage.
- Cover includes a personal indemnity for nurses – including 'proprietor nurses' – acting in an individual capacity.
- The standard limit is £5,000,000, other limits available. Legal costs and expenses payable in addition.

## Significant or unusual exclusions or limitations

- The limit of indemnity is the most we will pay for all events happening during the period of insurance.
- Standard limit of £2,000,000 (or the Treatment malpractice limit if less), inclusive of legal costs and expenses, applies for all claims in any period of insurance relating to abuse.
- Excluding treatments prescribed by a medical or dental practitioner who is a director, principal or employed person of the insured.
- Excluding bodily injury to persons employed by you.

## Medical malpractice

Our Medical malpractice section is suitable for establishments which provide treatment or services beyond that covered by the Treatment malpractice cover. If you are unsure if Medical malpractice cover is required, please speak to us or your broker. Cover is on a 'claims made' basis. This means it covers claims made against you – and notified to us – during the period of insurance. Therefore we must be notified as soon as possible of any claim or any circumstances likely to give rise to a claim.

### Features and benefits

- Covers you for legal liability you incur for death or bodily injury of a patient/service user as a result of a negligent act, error or omission committed by you in the course of your business.
- Limits of indemnity available are £1,000,000, £2,000,000, £3,000,000 and £5,000,000. Higher limits are also available.
- Cover is on a 'claims made' basis for acts committed after the agreed Retroactive date – this is usually the date you first insured medical malpractice, whether with us or another insurer.
- Automatic cover for employees performing work for you. Cover can be extended to also include registered practitioners and professionals performing work for you on a self-employed basis.
- Loss of documents extension covers you for your legal liability if medical records are lost, stolen or damaged, up to £50,000 for all claims in total, made in any one period of insurance.
- Breach of confidentiality extension up to £50,000 for all claims in total, made in any one period of insurance.
- Good Samaritan act cover for non business-related incidents where you or your employees are present by chance or acting in response to S.O.S. calls.

### Significant or unusual exclusions or limitations

- The consequences of any circumstances known to you at the commencement of this cover which may give rise to a claim.
- Any claim which is subject to indemnity or assistance from any Medical Defence Organisation.
- Any legal judgment, award or settlement made where the laws of the USA or Canada apply.
- Any specific liability assumed by you under contract.
- Performing activities whilst under the influence of intoxicants or narcotics.
- Claims relating to sexual contact or harassment, under the guise of treatment or otherwise.
- The excess that applies will be confirmed to you with our quotation.
- It is a condition of cover under this section that you must maintain accurate descriptive records of all professional services and equipment used in procedures and retain these for inspection by us for at least 10 years after the date of treatment (in the case of a minor, for at least 10 years after that minor attains majority).
- It is a condition of cover under this section that any tool or implement used and intended to be in contact with bodily fluid, or to penetrate tissue, must be handled, used and stored in accordance with the manufacturers' instructions and sterilised in accordance with the manufacturers' instructions and Department of Health guidelines.

# Professional indemnity - optional

Professional indemnity cover is on a 'claims made' basis, which means it covers claims made against you – and notified to us – during the period of insurance. Therefore we must be notified as soon as possible of any claim or any circumstances likely to give rise to a claim.

Two levels of cover are available:

## Professional indemnity extension

This is a limited professional indemnity cover you can add to the Liabilities section of policy cover if your business is solely a care home for the elderly or a provider of domiciliary care and you are seeking to comply with local authority requirements. It covers your unintentional breach of duty by neglect, error or omission when providing your services.

### Features and benefits

- Up to £2,000,000 for all claims in total, made in any one period of insurance, inclusive of all legal costs and expenses.
- Covers claims for acts committed after the agreed Retroactive date – this is usually the date you first insured professional indemnity, whether with us or another insurer.

### Significant or unusual exclusions or limitations

- The consequences of any circumstances known to you at the commencement of this cover which may give rise to a claim.
- Bodily injury and property damage are excluded.
- Any legal action brought in a court of law outside the UK.
- The first £250 of each and every claim made under this extension.
- Dishonesty of your employees is not covered with this option.

## Professional indemnity section

Available if you require full professional indemnity cover, this covers your legal liability for negligent acts, errors, omissions or negligent breach of duty arising from the provision of your professional services or advice. It includes your legal liability as a business following the dishonest acts of members of your staff.

### Features and benefits

- A range of limits of indemnity are available from £100,000 to £5,000,000, for all claims in total, made in any one period of insurance.
- Cover is usually given on the basis that legal costs and expenses are payable in addition.
- Covers the policyholder and their partners (past and present) and employees.
- Covers unintentional libel and slander and breach of confidentiality.
- Includes extensions for loss of documents and data protection issues, up to £50,000 for all claims in total, made in any one period of insurance.
- Up to £25,000 for all claims in total made in any one period of insurance for associated public relations crisis management, when we accept a claim under this section.

### Significant or unusual exclusions or limitations

- The consequences of any circumstances known to you at the commencement of this cover which may give rise to a claim.
- Dishonesty cover excludes dishonesty of directors, and claims committed after discovery, in relation to a person, of reasonable cause for suspicion.
- Any claims arising out of medical treatment, clinical trials or abuse.
- Any legal action brought in a court of law outside the European Union.
- Standard excess of either £500, £1,000 or £2,000 depending on your turnover.

# Management liability

For management liability we offer two alternative types of cover – you choose depending upon whether you are incorporated, i.e., a limited company, or a charity.

## Directors' and Officers' liability – optional

This section is for incorporated bodies such as non-charitable limited companies. Cover is provided on a 'claims made' basis, which means it covers only claims made against you and notified to us during the period of insurance. We must be notified within thirty days of any claim or any circumstances likely to give rise to a claim.

### Features and benefits

- Covers your directors and officers for legal liability they incur for certain wrongful acts they commit or attempt whilst acting in their capacity as a director or officer of your company.
- Limits of indemnity available are £250,000, £500,000 and £1,000,000. If your turnover is above £5,000,000 a limit of £2,000,000 is also available.
- Defence costs and expenses incurred in any criminal proceedings or investigation under Health and Safety at Work legislation.
- Non-executive directors, shadow directors and employees acting in a managerial or supervisory capacity are automatically included.
- Automatic cover for newly created or acquired subsidiary companies.
- A six-year run-off period of cover for retired directors and officers, up to £100,000.
- Cover for your directors participating, at your request, on the board or equivalent position of another entity.

### Significant or unusual exclusions or limitations

- Excludes claims or circumstances known to you at the start of the cover which may give rise to a claim.
- With certain exceptions, death or bodily injury or property damage is excluded.
- Excludes dishonest, fraudulent or criminal acts.
- Liability arising from pollution other than defence costs and expenses.
- With certain exceptions, no cover is provided for any claim connected with the USA.

## Charity trustee

If you are a charity, we can provide Charity trustee insurance cover. This cover is provided on a 'claims made' basis, which means it covers only claims made against you – and notified to us – during the period of insurance. We must be notified as soon as possible of any claim or any circumstances likely to give rise to a claim.

Two levels of cover are available:

### Charity trustee insurance extension

This is provided automatically when you choose to include the Liabilities section. It covers the personal liability of trustees, officers, employees or voluntary workers arising from errors or omissions they make in their internal management and administration duties.

#### Features and benefits

- Up to £100,000 in any one period of insurance, inclusive of all legal costs and expenses.
- Up to £50,000 in any one period of insurance for lost or damaged documents, inclusive of all legal costs and expenses.

#### Significant or unusual exclusions or limitations

- Excludes claims or circumstances which may give rise to a claim known to you at the start of the cover.
- Bodily injury and property damage (other than damage to documents) are excluded.
- Excludes dishonest, fraudulent or criminal acts.
- Excludes the administration of any pension fund or scheme.
- Excludes employment disputes

### Charity trustee insurance section – optional

Available if you require wider charity trustee insurance cover or an increased limit of indemnity.

#### Features and benefits

- Covers the personal liability of trustees, officers, employees or voluntary workers arising from errors or omissions they make in the management and administration of the charity.
- Includes defence costs and expenses for actual or alleged pollution resulting from a wrongful act.
- Includes legal costs and expenses following proceedings initiated by any government department or agency to examine your affairs.
- Limits of indemnity available are £250,000, £500,000 or £1,000,000 in any one period of insurance, including legal costs and expenses. Higher limits are also available.
- Up to £50,000 in any one period of insurance for lost or damaged documents, inclusive of all legal costs and expenses.

#### Significant or unusual exclusions or limitations

- Excludes claims or circumstances known to you at the start of the cover which may give rise to a claim.
- Bodily injury and property damage (other than damage to documents) are excluded.
- Excludes dishonest, fraudulent or criminal acts.
- Excludes the administration of any pension fund or scheme.
- Excludes legal action brought outside the European Union, Channel Islands or Isle of Man.
- Excludes employment disputes

# Legal expenses

*Note: to ensure an expert service the cover under this section is arranged by us in conjunction with DAS Legal Expenses Insurance Company Limited (DAS).*

## Features and benefits

- Standard limit of £100,000 to protect your legal position on a range of employment or business disputes. £250,000 available on request.
- Wide employment practices cover means that we will defend employers at employment tribunals with no dependency on the likelihood of success. For other civil claims it must be more likely than not that the insured person will recover damages or make a successful defence of their claim.
- Compensation awards – where we agree to cover your claim under employment disputes, we will also pay any compensation award up to £1,000,000 for all claims in any one period of insurance. £2,500,000 if the higher limit of indemnity has been requested.
- Statutory licence protection – we will represent you in appealing to the relevant authority following loss of your licence, mandatory registration or British Standard Certificate of Registration.

## Value-added service (All provided by DAS):

- Helplines: Commercial legal advice, Tax advice, Counselling for proprietor and employees.
- Employment manual - offering online employment guidance
- DAS businesslaw - offering online business law guidance. Some services are only available for a fee.

## Significant or unusual exclusions or limitations

- Costs and expenses incurred before DAS's written acceptance of a claim.
- Claims reported more than 180 days after you should have known about the incident.
- Compensation awards cover will be subject to you bearing 10% of the cost of compensation claims subject to a minimum of £1,000.
- For some risks, an audit by DAS of employment practices will be required.
- Statutory registration/licence cover, excluding licence appeals relating to motor vehicles.

# Money

*Note: where mentioned, 'business hours' means any time when anyone with responsibility for money is in attendance at the premises for the purposes of your business*

## Features and benefits

- Standard limits: £250,000 for non-negotiable money, £5,000 for cash in transit in a bank night safe or on the premises during business hours, £2,500 for cash in a locked safe at the premises or other specified location, £500 for any other loss.
- Losses due to dishonesty of employees – £2,000 per employee and £5,000 in total in any one period of insurance.
- Fraud and identity theft – covers fraudulent use of credit and debit cards used in connection with your business, £1,000 per card in any one period of insurance. Also covers any reasonable and necessary expenses you incur if your identity is used by a third party to obtain credit, against your knowledge, £1,000 for all claims in any one period of insurance.
- Assault extension – provides benefits for injury if the proprietor or an employee is injured due to a robbery or hold-up. £35,000 for death or permanent total disablement and £350 per week for temporary total disablement. Up to £200 hospital benefit, £500 for emergency dental treatment and £500 per person for damaged personal effects.

## Significant or unusual exclusions or limitations

- Cash over £3,000 unless accompanied by at least two persons whilst in transit, for cash over £5,000 we require three persons. A professional security firm is required if over £10,000.
- Employee dishonesty cover requires the loss to be discovered within 28 days of its occurrence.
- Assault extension:
  - Temporary total disablement benefits after 104 weeks.
  - Persons under the age of 16 or over the age of 70 years.
- Fraudulent use of credit cards where the issuer's terms have not been complied with, or losses arising from fraudulent use by the policyholder and/or the directors, trustees or partners.
- Identity theft costs must be agreed by us in advance.

# Personal accident – optional

## Features and benefits

- You can insure yourself or your permanent employees against accidental injuries whilst working for the business or 24 hours a day.
- You can choose the amount of cover required, from one unit which gives a capital benefit of £2,500, to ten units which give a capital benefit of £25,000. Higher limits are also available.

## Significant or unusual exclusions or limitations

- Certain hazardous sports or activities as detailed in the policy.
- Excluding persons under the age of 16 or over the age of 70 years

## Loss of registration/licence – optional

### Features and benefits

- Covers the depreciation of your financial interest in the premises, and your loss of income, following the withdrawal of the certificate that allows you to run the business. Standard limit of £100,000. Limit of £250,000 also available.
- We also cover your premises licence granted under the Licensing Act 2003 if you hold one.
- See the Legal expenses section for cover for legal costs in appealing when your registration or licence may be lost.

### Significant or unusual exclusions or limitations

- Losses caused by your own acts or omission.

## Fidelity – optional

### Features and benefits

- Covers loss of your money or goods caused by an act of fraud or dishonesty by an employee or volunteer.
- You can choose to cover 'all employees' and/or 'all volunteers'. In conjunction with this, cover on a 'named basis' is also available.
- You choose the limit of indemnity you require for employees. Standard limit of £5,000 provided for all volunteers.

### Significant or unusual exclusions or limitations

- Cover will be subject to you complying with minimum standards of control in respect of supervision, accounting procedures and checking the security of money or goods.
- Standard excess £250.

## Terrorism – optional

You may choose to add Terrorism insurance to cover all of your property insured by the policy. Cover can be extended to include your loss of revenue and/or additional costs following an interruption caused by an act of terrorism.

### Features and benefits

- Acts of terrorism in England, Wales and Scotland.

### Significant or unusual exclusions or limitations

- Terrorism cover must be arranged for all\* your insured property in England, Wales and Scotland whether or not this is with us.

\*Certain exceptions apply. Please ask us if you are unsure.

- Cover will be limited to the sums insured you have selected or the limit of liability stated in your policy.

For further information on any of our products or services, please speak to your broker.

Or visit us at

**[www.ecclesiastical.com](http://www.ecclesiastical.com)**



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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.

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