



LEGAL SERVICES



Essential Business Legal Policy Summary

Essential Business Legal – leading the way in the provision of Commercial Legal Expenses Insurance to businesses.

Reasons to choose Essential Business Legal

Each ARAG policy is created with you in mind. Essential Business Legal is a flexible policy which provides cover for the most common types of business problems.

From the moment you take out an Essential Business Legal policy our helplines and legal document/advice website help avert potential legal disputes you may face in running your business. Our objective is to work with you to get it right, promoting workplace harmony, providing a safety net if things go wrong.

You are empowered by the insurance backing you selected to pay for legal costs and expenses. We will take up your case in an employment dispute if it is more likely than not to succeed. This could be with a past, present or even a prospective employee. Essential Business Legal will defend you in both a formal aspect or full enquiry into your business's tax affairs or in appeal proceedings following a VAT assessment. It will help protect your statutory licence and pursue your rights in property matters.

A further, unique, feature of this policy is that it puts you in touch with experts in crisis communications should an incident arise that could result in negative PR that impacts your bottom line.

Every member of your staff can benefit from certain other legal defences as well as personal telephone counselling services that extend to employees' family members.

Who is ARAG?

ARAG plc was created by some of the UK's most creative thinkers from within the specialist environment of legal protection. Part of the global ARAG SE operation – which has over 75 years of tradition, €1.5 billion of premium income and all the values associated with a family-run business – we are committed to provide innovative solutions to complex business problems.

Today, our pioneering company is recognised as the leader in its field, with a host of awards and accolades for our customer service, innovation, underwriting, IT and products.

We have chosen solicitors, lawyers, barristers and other experts to present your claim, while our team in Bristol monitors progress and ensures you are kept updated. We also provide free 24/7 access to specialist legal and tax advisers, a legal support website and a telephone counselling service. Your business benefits from the strength of ARAG by having access to advice, assistance and practical support through this insurance policy, Essential Business Legal.

Essential Business Legal cover at a glance

Your Legal Services

- Personalise and download over 100 business-related legal documents and letters, free of charge.
- Access the law guide to quickly understand what you need to know.
- Take telephone legal advice for immediate assistance on business matters within EU law.
- Consult the business tax advice line on UK tax-related issues (9am-5pm weekdays).
- Discuss public relations support using the crisis communication helpline when facing negative publicity or unwanted media attention.
- Take advantage of telephone counselling assistance for your workforce and their family.
- Check documentation with legal specialists at reduced costs.
- Ensure fair selection processes are met if you are planning redundancies. A specialist advice team is on hand (9am-5pm weekdays) providing this pay-to-use service. A fixed cost will apply.

Your Legal Cover

Insurance cover, at your selected level, is per claim and applies to:

- **Employment Disputes, Compensation Awards & Restrictive Covenants:** defending your legal rights in staffing matters
- **Tax Investigations & VAT Disputes:** defending your business's position in aspect and full enquiries by HM Revenue & Customs including IR35 and in appeals arising from VAT assessments
- **Property Protection:** pursuing damage, nuisance, trespass or recovery claims for property. Cover in the case of a dispute with your business tenant that arises from a written lease agreement granted under the Landlord & Tenant Act 1954.
- **Legal Defence:** cover in the case of health & safety breaches and criminal prosecutions including motor related incidents
- **Compliance & Regulation:** defending compliance for statutory licences and regulation issues
- **Crisis Communications:** damage control and reputation management if facing negative PR
- **Employees' Extra Protection & Identity Theft Protection:** defending individual employees against allegations of unlawful discrimination, plus representation for directors and partners who fall foul of identity theft
- **Contract & Debt Recovery:** pursuing or defending your rights over the supply of goods and services or for debt recovery actions.

How we handle claims

If you need to make a claim you must notify us as soon as possible and under no circumstances should you instruct your own lawyer or accountant as we will not pay any costs incurred without our agreement.

1. You can request a claim form between 9am and 5pm Monday to Friday (except bank holidays) by telephoning **0117 917 1698** or by downloading one at **www.arag.co.uk/newclaims**
2. We will send you written acknowledgment within one working day of receiving your claim form.
3. Within five working days of receiving all the information needed to assess the availability of cover under the policy, we will write to you either:
 - confirming the appointment of a qualified representative who will promptly progress the claim for you; or
 - if the claim is not covered, explaining in full why and whether we can assist in another way.
4. When a lawyer is appointed they will try to resolve your dispute without delay, arranging mediation whenever appropriate. Matters cannot always be resolved quickly particularly if the other side is slow to cooperate or a legal timetable is decided by the courts.

More about Your Legal Cover and Legal Services

Cover up to £100,000 per claim, for insured support should a dispute arise.

Your business can benefit from free legal services at www.araglegal.co.uk and telephone advice on legal and tax matters as soon as the cover starts, providing you with high quality assistance when needed, 24 hours a day, 365 days a year. A modest charge is made for more complex documents from the website, or for having them checked by a solicitor if you have tailored them. They are available more quickly and at lower cost than through conventional sources.

A counselling helpline is also available to employees and family members and a Crisis Communications helpline is also available for a business emergency.

Employment Disputes, Compensation Awards & Restrictive Covenants

All businesses must comply with employment rules and regulations if they are to thrive and avoid costly tribunals and lawsuits. We provide access to online documents assisting you with the following:

- Employment contracts setting out employees' terms and conditions of employment
- Employee handbooks containing best practices and procedures
- Services for the disciplining and dismissal of employees
- Compromise agreements to formally settle employee disputes

With ever-changing employment legislation and the danger of awards being the ultimate sanction, businesses need to avoid any protracted and costly disputes with employees, either past, present or prospective. Sex, race, disability and age discrimination, unfair dismissals, and breach of contract or restrictive covenants are some of the problems a business can be faced with in this complex area of law.

Essential Business Legal pays the legal costs and fees to defend your business, together with any compensation that may be awarded against you. With ARAG you have wide cover which allows you to protect your restrictive covenants.

Tax Investigations & VAT Disputes

Investigations by HMRC into an organisation's tax affairs can be lengthy and expensive. Our aim is to help minimise the cost to businesses by appointing appropriate tax experts to deal with such enquiries.

Our tax advisors and accountants can ensure that what companies pay as a result of a compliance check is accurate in every way. They will deal with HMRC following a formal aspect or full enquiry into a business' tax affairs. We cover appeals relating to Corporation Tax, VAT, PAYE, Social Security, National Insurance Contributions, Construction Industry Scheme and IR35 checks following an assessment.

Investigations into the personal tax affairs of directors and/or partners are also covered.

Property Protection

If you are letting a property, our online law guide can ensure that you follow the current procedures and have access to expert advice. We cover the essential areas such as protecting your rights with leases as well as regaining your property through possession proceedings if the worst occurs.

Nuisance, trespass or damage to business property by a third party could result in a substantial strain on businesses. Taking action swiftly and effectively is therefore essential to maintain the smooth running of an organisation. Assistance in pursuing a legal claim against such a party may include obtaining a court injunction. The cover we provide to pursue a claim against a party causing damage to your property applies to all property owned by the business, including motor vehicles. We will cover a dispute with your business tenant that arises from a written lease agreement granted under the Landlord & Tenant Act 1954.

Legal Defence

Failure to comply with health & safety laws can lead to costly fines as well as serious accidents involving your employees. However, our health & safety services can help you comply both with the risk and with general health & safety regulations so protecting your business and your employees.

Businesses are protected against most business-related criminal prosecutions including motoring related incidents, as well as the defence for directors & partners from motor prosecutions that arise from driving in their personal capacity.

Compliance & Regulation

We provide access to legal documents assisting in important areas such as choosing a business structure, health & safety compliance, dealing with employment issues, trading online and documenting the terms on which you are selling or purchasing goods and services.

Directors as well as companies increasingly face criminal charges brought by the police, Health & Safety Executive, local authorities and other bodies with the power to prosecute. We can help to provide peace of mind, not just to the business, but also to those who hold responsible positions, by providing the appropriate expertise needed. Businesses may also need assistance in dealing with their industry's regulatory bodies. In the event of any dealings with the police or the HSE, cover is effective even prior to any notice of intended prosecution being issued.

Crisis Communication

Professional fees for this cover are insured up to £10,000. Businesses have unrivalled access to professional public relations support and crisis communication services to manage adverse media publicity and reputation exposure that is likely to have widespread financial impact. This could comprise arranging support and representation at a press conference through to drafting a media statement and preparing communications.

Employees' Extra Protection & Identity Theft Protection

A company cannot function without its workforce, particularly those empowered to make decisions. Any verbal pledge of support from the business in the event of a claim against an employee being made may not be enough. We can provide tangible and direct all-round support for employees in such circumstances. We arrange and pay for representation for any employee who, during the course of their work, faces a discrimination claim relating to disability, sexual orientation, age, religious belief, political opinion, sex or race.

We can also help defend an employee who is a pension fund trustee, should a case be brought against them. Cover is also available to pursue compensation on behalf of employees who are injured and to protect directors and partners from the legal costs and expenses arising from identity theft in their personal capacity.

Contract & Debt Recovery

Positive cash flow can be critical to business survival. Making sure that your customers promptly pay the money they owe you is essential to that goal. We provide access to a range of online legal documents assisting with debt recovery, promissory notes, powers of attorney, assignment of debts and much more.

When a supplier doesn't fulfil a contractual agreement, this could affect a business, with adverse consequences that are not your fault. In such circumstances, quickly obtaining the best appropriate legal resources is vital. We help the business achieve redress quickly and effectively by working to fully assess the prospects of a claim succeeding, and to then agree, via our appointed experts, the most appropriate method for resolving the matter in the best interest of the business.

Here is a summary of cover. For the full terms and conditions please refer to the policy document.

Significant Features & Benefits	Significant Exclusions or Limitations
<p>The insurer will pay legal costs & expenses and compensation awards including the cost of appeals for the following:</p>	<ul style="list-style-type: none"> • It must always be more likely than not that your claim will be successful. • You must report your claim during the period of insurance and as soon as you become aware of the circumstances that could lead to a claim. • Unless there is a conflict of interest we will choose an appointed advisor until proceedings need to be issued or in any claim dealt with by an Employment Tribunal or the small claims court. • Legal costs, expenses, and compensation awards incurred before we accept a claim.
<p>1. EMPLOYMENT A dispute with a past, present, or prospective employee, arising from a contract of service and/ or breach of employment laws.</p>	<ul style="list-style-type: none"> • Pursuing an action other than an appeal. • Any redundancy-related claim within 180 days of you taking out this policy. • Legal costs to prepare for or represent you in internal grievance or disciplinary matters.
<p>2. EMPLOYMENT COMPENSATION AWARDS The insurer will pay a basic and compensatory award made against you by a tribunal, or an amount agreed by us to settle a dispute, where we have accepted your claim under</p> <p>1. Employment</p>	<ul style="list-style-type: none"> • Any claim for redundancy where you have not sought and followed our prior advice. • Money due to an employee under a contract of service.
<p>3. EMPLOYMENT RESTRICTIVE COVENANTS A dispute with</p> <ul style="list-style-type: none"> • your employee or ex-employee which arises from a restrictive covenant in a contract of service with you • another party who alleges that you have breached their legal rights protected by a restrictive covenant. 	<p>The restrictive covenant must not</p> <ul style="list-style-type: none"> • extend further than is reasonably necessary to protect the business interests and • contain restrictions in excess of 12 months.
<p>4. TAX PROTECTION An HMRC compliance check, formal aspect or full enquiry into your business' tax or dispute about VAT, including an appeal.</p>	<ul style="list-style-type: none"> • Any claim where you have been negligent or have not met legal timescales. • An investigation by the Specialist Investigations Branch of HM Revenue and Customs. • Tax avoidance.
<p>5. PROPERTY An event which causes damage to your property, a public or private nuisance or trespass, and recovery or repossession of property from an employee or ex-employee. A dispute with your business tenant that arises from a written lease agreement granted under the Landlord & Tenant Act 1954.</p>	<ul style="list-style-type: none"> • Any claim where a contract exists between you and the other party. • Defending a claim brought against you unless defending a counter-claim.
<p>6. LEGAL DEFENCE We will defend the insured</p> <ul style="list-style-type: none"> • in an investigation that could lead to prosecution • if criminal proceedings are brought • Directors and/or partners are covered to defend a motor • prosecution which does not relate to the business. 	<ul style="list-style-type: none"> • A parking offence.
<p>7. COMPLIANCE & REGULATION Appeal against a statutory notice issued against your business, or defence of a civil action brought under the Data Protection Act.</p>	<ul style="list-style-type: none"> • Pursuing an action other than an appeal. • A Health and Safety Fee for Intervention.
<p>8. STATUTORY LICENCE APPEALS An appeal against a decision to alter, suspend, revoke or refuse to renew a statutory licence or registration.</p>	

Significant Features & Benefits	Significant Exclusions or Limitations
<p>9. LOSS OF EARNINGS The insurer will pay loss of earnings if an insured has to attend court or tribunal for a claim under this policy or because they are called for Jury Service.</p>	
<p>10. EMPLOYEES' EXTRA PROTECTION Cover to:</p> <ul style="list-style-type: none"> • defend <ul style="list-style-type: none"> – an employee in civil proceedings brought for unlawful discrimination, or – a trustee of the company pension fund; • pursue a personal injury claim by an employee or a member of their family, or • represent your directors and/or partners who have fallen victim of identity theft. 	<ul style="list-style-type: none"> • A condition, illness or disease that gradually develops over time.
<p>11. CRISIS COMMUNICATION Access to professional public relations support and crisis communication services to manage adverse media publicity and reputational exposure.</p>	<ul style="list-style-type: none"> • The maximum the insurer will pay is £10,000. • Matters that should be dealt with through your normal complaints procedures.
<p>12. CONTRACT & DEBT RECOVERY Contract disputes and debt recovery actions relating to the purchase, hire, lease, servicing, maintenance, sale or provision of goods or services, providing the amount in dispute exceeds £200.</p>	<ul style="list-style-type: none"> • The sale or purchase of any land or buildings. • Computer systems which have been supplied by you or tailored to your requirements. • Breach of professional duty. • Arbitration or adjudication
<p>Legal & tax advice helpline Access by phone to legal and tax experts for EU-wide legal advice and UK tax advice.</p>	<ul style="list-style-type: none"> • We will not put advice in writing. • Advice is restricted to business legal matters. • Advice on UK tax law is available Monday to Friday between 9am and 5pm (except bank holidays). • We cannot advise on financial planning or financial service products. • Services are subject to fair and reasonable use.
<p>Crisis communication helpline The insured can use this helpline at any time for advice about negative publicity or media attention.</p>	
<p>Counselling assistance helpline The insured can use this telephone service 24 hours a day, 365 days of the year.</p>	<ul style="list-style-type: none"> • Services are subject to fair and reasonable use.
<p>Redundancy approval We can arrange for specialist advice if you are planning redundancies.</p>	<ul style="list-style-type: none"> • You have to pay the cost of this service. • This service is available between 9am and 5pm on weekdays (except bank holidays).
<p>Business Legal Services website</p> <ul style="list-style-type: none"> • Go to www.araglegal.co.uk and register using your voucher code to download legal documents that can assist with day-to-day issues that affect your business. • Many documents offer legal review services. • You can access our online law guide. 	<ul style="list-style-type: none"> • Documents are restricted to business law. • Some documents only apply for England & Wales. • Many documents are free while others attract a modest charge. • Legal review services are subject to a fee.
	<p>Territorial Limit The UK, Channel Islands and the Isle of Man, except for Legal Defence, Compliance & Regulation and Contract & Debt Recovery where cover extends to Norway, Switzerland and the EU.</p> <p>Period of Insurance Unless otherwise agreed the period of insurance shall be for twelve months.</p>

How we handle complaints

Step 1

ARAG is committed to providing a first class service at all times. However, if a complaint arises, this should be addressed to our Customer Relations Department who will arrange to have it reviewed at the appropriate level. We can be reached in the following ways:



0117 917 1561 (hours of operation are 9am-5pm, Mondays to Fridays excluding bank holidays, for our mutual protection and training purposes, calls may be recorded).



customerrelations@arag.co.uk



ARAG plc, 9 Whiteladies Road, Clifton, Bristol, BS8 1NN

Step 2

Should you remain dissatisfied you may be entitled to pursue your complaint further with Lloyd's. They can be reached in the following ways:



0207 327 5693, Fax: 0207 327 5225



complaints@lloyds.com



Policyholder & Market Assistance, Market Services, Lloyd's, Fidentia House, Walter Burke Way, Chatham Maritime, Kent ME4 4RN

Step 3

If Lloyd's is not able to resolve the complaint to your satisfaction then you may refer it to the Financial Ombudsman Service (FOS) provided that it falls within their jurisdiction. The FOS can normally deal with complaints from small businesses with an annual turnover of less than €2 million. They can be contacted at:



0845 080 1800



enquiries@financial-ombudsman.org.uk



Financial Ombudsman Service, South Quay Plaza, 183 Marsh Wall, London, E14 9SR

The FOS's decision is binding upon the insurer, but you are free to reject it without affecting your legal rights.

Once again, welcome to the peace of mind provided by the world of legal protection.

ARAG plc registered in England number 02585818. Registered address: 9 Whiteladies Road, Clifton, Bristol BS8 1NN. ARAG is authorised and regulated by the Financial Conduct Authority firm registration number 452369.

ARAG plc is authorised under a Binding Authority Agreement with the Insurer Brit Syndicate 2987 at Lloyd's to administer this insurance (written under unique market reference B0356KA233D12A000 or replacement thereof). Brit Syndicates Limited, the managing agent for Brit Syndicate 2987 at Lloyd's, is authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and Prudential Regulation Authority. This can be checked by visiting the FCA website at www.fca.org.uk/register or by contacting the FCA on 0845 606 1234.

ARAG plc and Brit Syndicate 2987 at Lloyd's are covered by the Financial Ombudsman Service.

www.ARAG.co.uk

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