

The Retail Mutual Business Legal Solutions Cover Summary

Introduction

In the following pages we provide a summary of the events the Business Legal Solutions cover includes. This is not your insurance. **The Retail Mutual Business Legal Solutions Policy Wording** that you can find on The Retail Mutual website, www.theretailmutual.com together with your **Retail Mutual Business Cover Schedule** explain what is and what is not covered and the amount you can claim up to.

Section 1 Employment

Significant features & benefits

Cover for the legal costs of defending your business or appealing a court or tribunal's decision resulting from disputes about

- a breach of employment law
- a breach of an employee's contract of an employment

and including the cost of

- tribunal fees
- compensation awarded against you

Significant exclusions or limitations

- You must follow the ACAS Code of Practice for Disciplinary and Grievance Procedures or the Labour Relations Agency Code of Practice on Disciplinary and Grievance Procedures in Northern Ireland

There is no cover for

- any legal action that is not an appeal against the decision of a court or tribunal
- redundancy, alleged redundancy or unfair selection for redundancy, in the first 180 days of cover
- any costs or expenses to prepare or attend an internal disciplinary hearing, grievance or appeal
- legal action by 10 or more employees or ex-employees about a pension scheme

Section 2 Employment compensation awards

Significant features & benefits

Cover following a claim accepted under event 1 Employment for

- basic and compensation awards against you by a tribunal; or
- the amount to settle a dispute

Significant exclusions or limitations

Compensation must be either

- agreed through mediation or conciliation
- under a settlement approved in advance
- awarded by a tribunal after full discussion unless given by default

There is no cover for compensation awards or settlements about

- money due to an employee under a contract or a statutory provision about a contract
- trade union membership, industrial or labour arbitration or collective bargaining agreements
- civil claims or statutory rights of trustees of pension schemes

Section 3 Employment restrictive covenants

Significant features & benefits

Cover for the legal costs and expenses to resolve legal disputes resulting from a restrictive covenant in an employment contract designed to protect your business interests

Significant exclusions or limitations

- The restrictive covenant
 - must be in writing and signed by the business and employee
 - only covers what is reasonable to protect the business interests
 - does not have restrictions for more than of 12 months
- There is no cover for a dispute with someone who is not an employee or ex-employee

Section 4 Tax disputes

Significant features & benefits

Cover for a tax advisor or accountant to represent you if there is a dispute

- following a formal notification of an enquiry into your business tax
- about you complying with regulations about your employees, workers or payments to contractors
- with HMRC about Value Added Tax

Significant exclusions or limitations

You must

- submit returns in the statutory timescales
- keep proper records in line with statutory requirements
- ask for an Internal Review from HM Revenue & Customs has been asked for where appropriate

There is no cover available for

- late tax returns that result in a penalty by HMRC that contain careless and/or deliberate misstatements or omissions
- an investigation by the Fraud Investigation Service of HM Revenue & Customs
- disclosure of Tax Avoidance Scheme Regulations
- any tax issues for money or assets held abroad
- failure to register for VAT

Section 5 Property

Significant features & benefits

Cover for legal costs and expenses to help with a dispute resulting from

- damage to property you own or are responsible for
- public nuisance, private nuisance or trespass
- property you want to repossess from an employee or ex-employee

Significant exclusions or limitations

There is no cover for anything connected to or resulting from

- a dispute connected to a contract except where you want to repossess property from an employee or ex-employee
- goods lent or hired out
- compulsory purchase, demolition restrictions, controls or permissions placed on land or property

Section 6 Legal defence

Significant features & benefits

Cover for legal costs and expenses to defend a prosecution or possible prosecution

- following a criminal investigation or enquiry by
 - the police
 - a health & safety authority
 - another organisation with the power to prosecute
- in a court of criminal jurisdiction

Significant exclusions or limitations

- No cover is provided for prosecutions for parking offences

Section 7 Compliance and regulation

Significant features & benefits

Cover for legal costs and expenses to help with

- an appeal against a Statutory Notice
- a formal investigation or disciplinary hearing by any professional or regulatory organisation
- civil action for wrongful arrest resulting from an allegation of theft
- a claim for compensation for a breach of Data Protection regulations
- a civil action for an allegation of unlawful discrimination or failure of your duty as a trustee to care for the money belonging to a pension fund set up for your employees

Significant exclusions or limitations

There is no cover for help with

- any legal action that is not an appeal
- a routine inspection by a regulatory authority
- an enquiry, investigation or enforcement action by HMRC
- a claim against your business for alleged unlawful discrimination

Section 8 Statutory licence appeals

Significant features & benefits

Cover for legal costs and expenses to help with

- an appeal against a formal written proposal by the relevant authority to alter, suspend, revoke or refuse to renew a statutory licence or registration

Significant exclusions or limitations

None

Section 9 Loss of earnings

Significant features & benefits

Cover for earnings lost while you are not at work because you have to attend

- a court, including jury service
- a tribunal or arbitration
- a professional body's disciplinary hearing
- regulatory proceedings

Significant exclusions or limitations

There is no cover for

- any lost earnings you can get back from a court or tribunal

Section 10 Personal injury

Significant features & benefits

Cover for legal costs and expenses

- if you or a member of your family are injured or killed as a result of an accident

Significant exclusions or limitations

There is no cover for

- a condition, illness or disease which develops gradually over time

Section 11 Executive suite

Significant features & benefits

Cover for legal costs and expenses if you or an executive officer, director or partner of your business as a result of

- an HMRC enquiry into your or their personal tax affairs
- a motoring prosecution resulting from personal, social or domestic driving and travelling to or from your business
- a claim resulting from personal identity theft
- a dispute resulting from your business partnership agreement that is to be referred to mediation

and cover for Crisis communication shown in Section 13 for an executive officer, principal, director or partner of your business as a result of something that happens in their private and personal life that causes significant adverse publicity or reputational damage

Significant exclusions or limitations

There is no cover for

- late tax returns that result in a penalty by HMRC that contain careless and/or deliberate misstatements or omissions
- an investigation by HMRC's Fraud Investigation Service
- circumstances where the Disclosure of Tax Avoidance Scheme Regulations apply
- any enquiry about assets, monies or wealth outside of the United Kingdom
- a parking offence
- legal costs & expenses more than £25,000 for claims relating to any enquiry about assets, monies or wealth outside of the United Kingdom and/or a parking offence
- Crisis communication for something that has not resulted in adverse publicity appearing online, in print or broadcast

Section 12 Contract & debt recovery

Significant features & benefits

Cover for a breach or alleged breach of an agreement or alleged agreement which has been entered into by you or on your behalf to buy, sell, hire or lease goods or services or to rent your business premises, provided that if you are claiming for an undisputed debt you have exhausted your normal credit control procedures.

Significant exclusions or limitations

You must

- enter into a conditional fee agreement (unless the appointed advisor has entered into a collective conditional fee agreement) where legally permitted

There is no cover for

- an amount which is less than £200
- a dispute with a tenant or leasee where you are the landlord or lessor
- the sale or purchase of land or buildings
- loans, mortgages, endowments, pensions or any other financial product
- computer hardware, software, internet services or systems which
 - have been supplied by you or
 - have been tailored to your requirements
- a breach or alleged breach of a professional duty by anyone covered under your business cover
- the settlement payable under an insurance policy or mutual cover wording
- a dispute relation an employee or ex-employee
- adjudication or arbitration

Section 13 Crisis communication

Significant features & benefits

If something happens that results in negative publicity or reputational damage to your business we will help with and provide cover for legal costs and expenses to

- issue a statement or press release
- produce a communication for staff, customers and suppliers
- produce a telephone script, website script or a social media message
- arrange, support and represent you or your business at any event the media will be reporting on
- arrange to take telephone calls and emails for you
- manage interaction with the media
- support and prepare you for media interviews

Significant exclusions or limitations

- You must contact the Crisis Communication helpline and follow any advice given

There is no cover for

- complaints through the normal complaints procedures
- something that happens if it has not actually resulted in adverse publicity appearing in the online, in print or broadcast
- legal costs & expenses more than £10,000

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