

# NHBF Business Legal



Your business faces many challenges daily and from time to time unforeseen problems emerge. NHBF Business Legal provides professional legal and financial support.

## Your **cover**



### What is covered?

The summary table on page 3 provides an overview of your policy terms. For full details please read the policy wording.

### Employment disputes

Employment law changes constantly and keeping on top of it can be a full-time job. If you have a dispute with an employee it can be stressful, time-consuming and very costly to both your finances and reputation. We will pay the legal costs of defending your business if an employee brings a claim against you provided that there is a reasonable prospect of your defence being successful

### Employment restrictive covenants

If your employee breaks a clause in their contract that prevents them from, for example, poaching clients or staff or setting up their own business nearby, our legal experts can help with:

- For a fixed fee of £400 (+VAT) per employee, a strongly worded letter to the ex-employee plus brief written advice on the likely success of a claim against them.
- For a highly competitive fee, support during any court action and claim for damages.

If you would like more information on this service please call 01244 687 600 between 9am and 5pm weekdays.

### Tax disputes

No business welcomes an unexpected visit from the taxman and any investigation by HMRC can be lengthy and expensive. Our tax advisors will represent your business if you are investigated or where a dispute arises following a compliance check by HMRC.

# Important information

## Important conditions

You must always contact us first before appointing a solicitor or accountant to act for you. If you fail to do this you may prejudice your position and the insurer will not pay costs that they would not have agreed to pay under the terms of your policy.

When we receive your claim, we will have it assessed for reasonable prospects of success. Provided that the event is covered by the policy and your claim is more likely than not to succeed, we will help you under the terms of your policy.

We will recommend mediation to resolve your dispute where appropriate or we will appoint a solicitor, accountant or other suitable expert to act for you. The members of our panel are carefully selected based on their expertise and work under strict service standards. They are also audited regularly to ensure they provide the best possible service to our customers.

## What happens if the insurer cannot meet its liabilities?

The insurer is covered by the Financial Services Compensation Scheme (FSCS). You may be entitled to compensation of up to 90% of the cost of your claim in the unlikely event that the insurer cannot meet its obligations. Further information about compensation scheme arrangements is available at [www.fscs.org.uk](http://www.fscs.org.uk).

The tables on the next page show a summary of cover. For full terms and conditions of the policy, please read the policy wording.

## Claims procedure

### Telling us about your claim

If an insured needs to make a claim, they must notify Ellis Whittam as soon as possible.

The contact details are:

Ellis Whittam Ltd,  
Woodhouse,  
Aldford, Chester,  
Cheshire CH3 6JD

Tel: **01244 687 600**

Fax: **0345 226 8384**

Ellis Whittam will then notify us on your behalf and arrange for a claims form to be sent to the insured.

## Summary table

Significant features & benefits	Significant exclusions or limitations
<p>The insurer will pay legal costs &amp; expenses up to the sum shown in your policy schedule or as otherwise stated in the policy including the cost of appeals for the following:</p>	<ul style="list-style-type: none"> <li>• It must always be more likely than not that your claim will be successful.</li> <li>• 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.</li> <li>• 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.</li> <li>• Legal costs, expenses or compensation awards incurred before we accept a claim.</li> <li>• Costs that exceed the sum we would have agreed to pay a solicitor on our panel, if the insured chooses to use their own representative.</li> <li>• An excess of £2,000 per claim is due for all claims with the exception of Tax Compliance claims where no excess is applicable.</li> </ul>
<p><b>1) Employment</b> A dispute with a past, present, or prospective employee, arising from a contract of service and/or alleged breach of employment laws.</p>	<ul style="list-style-type: none"> <li>• Pursuing an action other than an appeal.</li> <li>• Any redundancy notified claim within 180 days of you taking out this policy.</li> <li>• Internal grievances or disciplinary matters.</li> </ul>
<p><b>2) Tax disputes</b> A formal tax enquiry by HMRC, where a dispute arises following a compliance check by HMRC in relation to your business tax affairs, or where a dispute arises about VAT.</p>	<ul style="list-style-type: none"> <li>• Any claim where you have been careless or have not met legal timescales.</li> <li>• An investigation by the Fraud Investigation Service of HMRC.</li> <li>• Tax avoidance.</li> </ul>
<p><b>Tax advice helpline</b> Access by telephone to legal and tax experts for UK and EU-wide legal advice and UK tax advice.</p>	<ul style="list-style-type: none"> <li>• Advice will not be put in writing.</li> <li>• Advice on UK tax law is available Monday to Friday between 9am and 5pm (except bank holidays).</li> <li>• We cannot advise on financial planning or financial services products.</li> <li>• Services are subject to fair and reasonable use.</li> </ul>
	<p><b>Territorial limit</b> The UK, Channel Islands and the Isle of Man. <b>Period of insurance</b> Unless otherwise agreed the period of insurance shall be for 12 months. <b>Legal costs &amp; expenses</b></p> <ul style="list-style-type: none"> <li>• Reasonable costs incurred by the appointed advisor.</li> <li>• The other side's legal costs.</li> </ul>

## 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

If we are not able to resolve the complaint to your satisfaction, then you can refer it to the Financial Ombudsman Service (FOS) provided that it falls within their jurisdiction. From 1 April 2019 the FOS will normally deal with complaints from small business with an annual turnover of less than £6.5million and which either; have up to 50 employees, or a balance sheet threshold of £5million. They can be contacted at



**0800 023 4567 or 0300 1239 123**



**complaint.info@financial-ombudsman.org.uk**



**Financial Ombudsman Service, Exchange Tower, London, E14 9SR.**

The FOS is an independent service in the UK for settling disputes between consumers and businesses providing financial services. You can find more information on the Financial Ombudsman Service at [www.financial-ombudsman.org.uk](http://www.financial-ombudsman.org.uk)

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