



## National Trainers Federation Group Policy

(Group Policy No: 511236)

## Why you need National Trainers Federation Group Policy

Your business faces many challenges daily and from time to time unforeseen problems emerge. National Trainers Federation Group Policy provides professional legal and financial support. For example, you can get a legal healthcheck, keep up to date with health & safety legislation, get access to free employment documentation and other business documents, resolve problems with suppliers or customers.

### What we cover

We can help you to overcome a range of common business problems, for example:

- You need expert legal advice quickly
- A dispute with an employee escalates and can't be resolved
- You receive notice of an enquiry into your tax or VAT returns
- A Health and Safety inspection ends with a threat to prosecute your business
- A neighbouring business restricts access to your premises
- Your business attracts adverse publicity which threatens to damage your reputation and you need PR advice

### Why choose ARAG?

We are part of ARAG SE, the largest family-owned enterprise in the German insurance industry. Founded in 1935, on the principle that every citizen should be able to assert their legal rights, ARAG now employs 4,000 people around the world and generates premium income of more than €1.8 billion.

Our UK operation provides a nationwide service from our Bristol Head Office. We provide innovative and affordable products to companies and their directors and partners.

We are committed to providing our customers with legal advice and representation throughout a legal problem. We recognise that we will only grow by ensuring that we provide excellent products and an outstanding service to our customers.

# Your cover

## What is covered?

The summary table on pages 5 to 8 outlines the cover but the information below will also help you. If you require full details of our policy terms and conditions please ask to see a policy wording.

## Employment disputes & compensation

Employment law changes constantly and keeping on top of it can be a full-time job. You can keep up to date and download free employment-related documents from our Business legal services website. 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. We will also pay any compensation awarded against you.

## Employment restrictive covenants

You may have restrictive covenants in your employment contracts to protect your business interests should an employee or ex-employee attempt to trade in competition with (or work for a competitor of) your business. Alternatively, you may need to defend a claim where one of your employees is alleged to have breached their ex-employer's restrictive covenant. Our cover will pay the costs to resolve legal disputes that arise from restrictive covenants.

An employee contract that includes a restrictive covenant is available to download for free on the Business legal services website, which also provides guidance notes.

## Statutory licence appeals

We will represent You to appeal against the decision of a licencing or other authority, to change the terms of, suspend, or revoke your business licence or compulsory registration.

### Loss of earnings

The insurer will pay salary or wages for time that is lost due to an employee's absence from work to attend court or tribunal at the request of the lawyer acting for you under the policy or to perform jury service.

## Property

Your premises are vital to the smooth running of your business. Nuisance, trespass or damage to Your property by another party could put a substantial strain on your ability to operate effectively. The insurer will pay legal costs to protect your rights and claim compensation if necessary.

## Legal defence

All businesses operate within a complicated framework of legislation. Our Business legal services website can help you to remain compliant but if things go wrong we will pay the legal costs to defend your business throughout a criminal investigation or prosecution, including motoring offences.

## Compliance & regulation

Businesses are confronted by ever increasing burdens from regulatory and professional bodies. We can help you to appeal against the terms of a statutory notice issued against the business, if your business is investigated by a regulatory body or if employees have to attend a professional or regulatory disciplinary hearing. Where we have defended Health and Safety Executive enforcement action against you that results in Fees For Intervention being charged, you are covered for these fees. Provided that data protection redress is in place we will defend your business against civil action brought under the Data Protection Act by data subjects seeking compensation. Your employees are also protected if they face civil action arising from an alleged act of unlawful discrimination or in their capacity as a pension fund trustee.

## Employees' extra protection

We provide legal advice and representation for employees who are exposed to a civil action following an allegation of unlawful discrimination.

We can also help defend an employee who is a pension fund trustee if a civil claim is brought against them.

In addition, cover is in force to pursue compensation on behalf of employees and their family members who are injured as a result of the negligence of a third party, and to protect directors and partners from legal costs and expenses arising from identity theft.

## Your cover (continued)

### **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. Directors and partners of your business are also covered if there is an investigation into their personal tax affairs.

### **Crisis communication**

In an increasingly media-orientated world, adverse publicity can have a devastating financial impact on your business. We will pay up to £10,000 in professional fees to provide expert advice to help you manage communication effectively in times of crisis. This can include drafting a media statement as well as preparing suitable communications for your staff, customers or suppliers.

### **Contract & debt recovery**

Any kind of dispute or problem with a supplier or customer can really have a significant impact on your business. If this happens we will help you to resolve the situation as quickly as possible and pay any legal costs involved.

Problems with cashflow are very common and making sure your customers pay promptly is essential. If you have a late payment issue, we will negotiate to resolve the situation as quickly as possible.

# Important information

## Legal advice and tax helplines

You can call our legal advice helpline and get immediate advice on all legal problems affecting your business 24 hours a day, 365 days a year. You can obtain tax-related advice from our tax helpline or use our counselling assistance helpline which is available to your employees and their families.

## Business legal services website

This masterpolicy unlocks free access to our Business legal services website, which allows you to create many online documents and guides which can help your business. Business legal services offers a wide range of documents from employment contracts and settlement agreements to leases and Health & Safety statements. For a small additional charge You can have complex documents checked by a solicitor. Once you have registered to use the site we will keep in touch to let you know about forthcoming changes that may affect you.

## 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 this masterpolicy.

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

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 from our nationwide panel of specialist firms. 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.

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

1. Under no circumstances should you instruct your own solicitor or accountant as the insurer will not pay any costs incurred without our agreement
2. If an insured instructs their own solicitor or accountant without telling us, they will be liable for costs that are not covered by this masterpolicy
3. A claim form can be downloaded at [www.arag.co.uk/newclaims](http://www.arag.co.uk/newclaims) or requested by telephoning us on **0333 003 0159** between 9am and 5pm weekdays (except bank holidays)
4. The completed claim form and supporting documentation can be sent to us by email, post or fax. Further details are set out in the claim form itself.

What happens next?

1. We will send the insured a written acknowledgement by the end of the next working day after their receiving their claim form.
2. Within five working days of receiving all the information needed to assess the availability of cover under the policy, we will write to the insured either:
  - a) Confirming cover under the terms of your policy and advising the insured of the next steps to progress their claim; or
  - b) If the claim is not covered, we will explain in full the reason why and advise whether we can assist in another way.
3. When a representative is appointed they will try to resolve the insured's dispute without delay, arranging mediation whenever appropriate.

We will check on the progress of the insured's claim with the appointed advisor from time to time. Sometimes matters cannot be resolved quickly, particularly if the other side is slow to cooperate or a legal timetable is decided by the courts.

## What happens in 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)

## Summary table

Significant Features & Benefits	Significant Exclusions or Limitations
<p>The insurer will pay legal costs &amp; expenses and employment compensation awards up to the sum shown in the policy schedule 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> </ul>
<p><b>1 Employment</b> 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"> <li>• Pursuing an action other than an appeal.</li> <li>• Any redundancy notified claim within 180 days of you joining this masterpolicy.</li> <li>• Internal grievances or disciplinary matters.</li> </ul>
<p><b>2 Employment compensation awards</b> Where we have accepted your claim under 1. Employment, 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.</p>	<ul style="list-style-type: none"> <li>• Money due to an employee under a contract.</li> </ul>
<p><b>3 Employment restrictive covenants</b> A dispute with</p> <ul style="list-style-type: none"> <li>• your employee or ex-employee which arises from a restrictive covenant in a contract of service with you</li> <li>• another party who alleges that you have breached their legal rights protected by a restrictive covenant.</li> </ul>	<p>The restrictive covenant must not</p> <ul style="list-style-type: none"> <li>• extend further than is reasonably necessary to protect the business interests or contain restrictions in excess of 12 months.</li> </ul>
<p><b>4 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. Directors and partners of the business are covered if their personal tax affairs are investigated.</p>	<ul style="list-style-type: none"> <li>• Any claim where you have been negligent 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>5 Property</b> 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.</p>	<ul style="list-style-type: none"> <li>• Any claim where a contract exists between you and the other party (apart from the recovery or repossession of property from an employee or ex-employee).</li> </ul>

Significant Features & Benefits	Significant Exclusions or Limitations
<p><b>6 Legal defence</b> We will defend you</p> <ul style="list-style-type: none"> <li>• in an investigation that could lead to prosecution</li> <li>• if criminal proceedings are brought.</li> </ul> <p>Cover for motor related investigations and prosecutions is included.</p>	
<p><b>7 Compliance &amp; regulation</b></p> <ul style="list-style-type: none"> <li>• An appeal against the terms of a Statutory Notice issued against your business</li> <li>• Representing you throughout an investigation by a professional or regulatory body at any subsequent disciplinary hearing.</li> <li>• Appealing against a Stewards decision to impose a fine or suspension</li> <li>• Defence of a civil action brought <ul style="list-style-type: none"> <li>– for wrongful arrest arising from an allegation of theft;</li> <li>– under the Data Protection Act;</li> <li>– against your employees where unlawful discrimination has been alleged or there has been a breach of duty in their capacity as trustee of a pension fund set up for the benefit of your employees</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Pursuing an action other than an appeal.</li> </ul>
<p><b>8 Statutory licence appeals</b> An appeal against a decision to alter, suspend, revoke or refuse to renew a statutory licence or registration.</p>	
<p><b>9 Loss of earnings</b> The insurer will pay loss of earnings if an employee has to attend court or tribunal for a claim under this masterpolicy or because they are called for jury service.</p>	
<p><b>10 Employees' extra protection</b> Cover to:</p> <ol style="list-style-type: none"> <li>a) defend <ol style="list-style-type: none"> <li>i) an employee in civil proceedings brought for unlawful discrimination, or</li> <li>ii) a trustee of the company pension fund;</li> </ol> </li> <li>b) pursue a personal injury claim by an employee or a member of their family or</li> <li>c) represent directors and/or partners who have fallen victim to identity theft.</li> </ol>	<ul style="list-style-type: none"> <li>• In respect of 10 b): A condition, illness or disease that gradually develops over time.</li> </ul>
<p><b>11 Crisis communication</b> 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"> <li>• Matters that should be dealt with through your normal complaints procedures.</li> <li>• A matter that has not actually resulted in adverse publicity.</li> <li>• The maximum the insurer will pay is £10,000.</li> </ul>

<p><b>12 Contract &amp; debt recovery</b></p> <p>Contract disputes and debt recovery actions relating to the purchase, hire, lease, servicing, maintenance, sale or provision of goods or services. Motor vehicle disputes are included.</p>	<ul style="list-style-type: none"> <li>• The amount in dispute must exceed £200</li> <li>• Disputes with tenants</li> <li>• The sale or purchase of any land or buildings.</li> <li>• Computer systems which have been supplied by you or tailored to your requirements.</li> <li>• Breach of professional duty.</li> <li>• Arbitration or adjudication.</li> <li>• The first £500 if the amount in dispute exceeds £5,000.</li> </ul>
<p><b>Legal &amp; tax advice helpline</b></p> <p>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 is restricted to business legal matters.</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 service products.</li> <li>• Services are subject to fair and reasonable use.</li> <li>•</li> </ul>
<p><b>Crisis communication helpline</b></p> <p>If your business has attracted negative publicity which could cause reputational damage, you can access professional PR support from our Crisis Communication experts at any time.</p>	
<p><b>Counselling assistance helpline</b></p> <p>Qualified counsellors will provide confidential support and advice by phone to your employees or their family members who are suffering from emotional upset or feeling worried and anxious about a personal or work related problem.</p>	
<p><b>Business legal services website</b></p> <p>Register using your voucher code to download legal documents that can assist with day to day issues that affect your business.</p>	<ul style="list-style-type: none"> <li>• Documents are for business use.</li> <li>• Some documents only apply for England &amp; Wales.</li> <li>• Many documents are free while others attract a modest charge.</li> <li>• Legal review services are subject to a fee.</li> </ul>
	<p><b>Territorial limit</b></p> <p>The UK, Channel Islands and the Isle of Man, except for Legal defence and Contract &amp; debt recovery where cover extends to EU countries, Norway, and Switzerland.</p>
	<p><b>Period of insurance</b></p> <p>Unless otherwise agreed the period of insurance shall be for 12 months.</p>

Significant Features & Benefits	Significant Exclusions or Limitations
	<b>Legal costs &amp; expenses</b>
	<ul style="list-style-type: none"><li>• Reasonable costs incurred by the appointed advisor.</li><li>• The other side's legal costs.</li><li>• Employment compensation awards and employee settlements agreed with us.</li><li>• Basic wages and salary in respect of Loss of Earnings cover.</li><li>• Crisis communication costs.</li><li>• Fees for Intervention</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

Should you remain dissatisfied you can pursue your complaint further with 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 businesses with an annual turnover of less than £6.5 million and which either; have up to 50 employees, or a balance sheet threshold of £5 million. They can be contacted at:



**0800 023 4567 or 0300 123 9123**



**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.

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

[www.arag.co.uk](http://www.arag.co.uk)

EBLPOSLYC.0123