

Employment Practices Liability Insurance Proposal Form

Important Notice

1. This is a proposal for a contract of insurance, in which 'proposer' or 'you/your' means the individual, company, partnership, limited liability partnership, organisation or association proposing cover.
2. This proposal must be completed, signed and dated. All questions must be answered to enable a quotation to be given but completion does not bind you or the insurer to enter into any contract of insurance. If space is insufficient to answer any questions fully, please attach a signed continuation sheet. You should retain a copy of the completed proposal (and of any other supporting information) for future reference.
3. All facts material to the proposed insurance must be disclosed, fully and truthfully to the best of your knowledge and belief. Failure to do so may make the contract of insurance voidable or severely prejudice your rights in the event of a claim. A material fact is one likely to influence the insurer's assessment or acceptance of the proposal; if you are uncertain what may be a material fact, you should consult your broker.
4. You are recommended to request a specimen copy of the proposed policy wording from your insurance broker and to consider carefully the terms, conditions, limitations and exclusions applicable to the cover.

Section A: General Information

1. (a) Name of company (insured)
- (b) Address of registered office and of principal place of business (if different)
- (c) Type of entity:
☐ Public company ☐ Limited liability partnership
☐ Private company ☐ Partnership ☐ Sole trader
☐ Other (please specify)
- (d) Is cover being sought for any subsidiary companies? Yes ☐ No ☐
If so, please list on separate sheet and provide full details including country of registration, address of principal place of business and percentage owned by the parent company.
- (e) How long has the company carried on business?

Section B: Business Activities

1. (a) What are the business activities of the company?

- (b) Do you anticipate any major changes in these business activities in the next twelve months? Yes ☐ No ☐

If YES, please provide details

- (c) In the last three years has the company
- (i) merged with or been taken over by any other entity? ☐
- (ii) acquired or disposed of any part of its operations? ☐

- (d) Does the company have any acquisition, tender offer, merger, addition or expansion or disposal of operations pending or under consideration? Yes ☐ No ☐

If YES, please provide details

- (e) the company aware of any proposal relating to its acquisition by any other entity? Yes ☐ No ☐

If YES, please provide details

- (f) Does the company anticipate any redundancies, staff reductions, layoffs, branch or plant closings in the next twelve months or have there been any in the last twelve months? Yes ☐ No ☐

If YES, please provide details

- (g) Does the company have any plans to revise any existing employee benefits during the next twelve months (e.g. pensions) or have there been any such changes in the last twelve months? Yes ☐ No ☐

If YES, please provide details

Section C: Staff

1. (a) Total number of employees worldwide

(b) Breakdown of total number of employees by territory:

(i) UK

(ii) Europe

(iii) North America and Canada

(iv) South America

(v) Middle East

(vi) Africa

(vii) Asia / Far East

(viii) Australasia

(c) Number of employees by salary range:

(i) £30,000 or less

(ii) £30,001 to £60,000

(iii) £60,001 to £125,000

(iv) £125,001 and over

(d) Total payroll

(e) So far as you are aware, are any employees members of a trade union?

Yes ☐ No ☐

If so please state name(s) of union(s)

(f) Does the company recognise any trade union(s) for collective bargaining or other negotiations?

Yes ☐ No ☐

If so please state name(s) of union(s). How many employees are members of this/these trade union(s)?

Section D: Human Resources

1. (a) Does the company have a human resources/personnel department (or departments) providing a human resources function for the company? Yes ☐ No ☐
- (i) If YES, how many employees is there in this/these department(s)?
- (ii) If NO, how is this function handled and by how many employees?
- (b) Does the parent company's human resources/personnel department provide the human resources function for all the subsidiary companies? Yes ☐ No ☐
- If NO, please answer D.1.a above separately for each subsidiary company on a separate sheet.
- (c) Does the company have its employment policies/procedures reviewed by external employment lawyers? Yes ☐ No ☐
- If YES, please identify the firm and the date of the last review
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- (d) Does the company have written procedures for the following:
- ☐ Recruitment
 - ☐ Employee disciplinary actions
 - ☐ Employee grievances
 - ☐ Sexual harassment/discrimination
 - ☐ Racial harassment/discrimination
 - ☐ Harassment/discrimination on grounds of religion, sexual orientation or age
 - ☐ Disability discrimination/harassment
 - ☐ Anti bullying policy
 - ☐ Compliance with statutes
 - ☐ Redundancies, termination of employment, lay offs and early retirement
 - ☐ Employee appraisals/reviews
 - ☐ Health and Safety
 - ☐ Whistleblowing
 - ☐ Monitoring use of internet, email and other communications by employees
 - ☐ Protection of employees' personal data
 - ☐ Record keeping (concerning both employees and applicants for employment)
- (e) Is a written contract of employment issued to all employees? Yes ☐ No ☐
- (f) Does the company have an employee handbook? Yes ☐ No ☐
- (i) Is this distributed to all employees of the company? Yes ☐ No ☐
- (ii) Do all employees sign for its receipt? Yes ☐ No ☐
- (iii) Do contracts of employment expressly state that employees are bound by the terms of the employment handbook as amended from time to time? Yes ☐ No ☐

- (g) How does the company deal with changes in legislation effecting employees?

- (h) Does the company have a programme to ensure all management and supervisory employees receive regular, up to date training in the company's personnel policies and procedures?

Yes ☐ No ☐

- (i) Has any such training been provided in the last twelve months?

Yes ☐ No ☐

- (i) Who has the authority to hire employees?

- (j) Who has the authority to terminate employment?

- (k) Are all grievance and disciplinary hearings fully minuted?

Yes ☐ No ☐

- (l) Does the company maintain a personnel file for each employee?

Yes ☐ No ☐

Section E: Previous EPL Insurance

1. Has the company ever had any insurer decline a proposal form or cancel or refuse to renew any employment practice liability or similar insurance policy?

Yes ☐ No ☐

If YES, please provide full details.

Section F: Historical Data

1. (a) In the past twelve months, how many employees or directors have left the employ of the company?

- (i) How many resigned

- (ii) How many were made redundant?

- (iii) How many were dismissed by the company for other reasons?

Section G: Claims History

1. (a) Please provide full details of all EPL claims or employee disputes involving the company or any of its directors, officers or employees in the past three years. Please provide details of the type of allegation, the court or agency involved and any determination, judgment, claims payments (including without prejudice or ex gratia payments) and defence costs for each claim/dispute.

- (b) After enquiry are the company, any of its directors or officers or any employees in the personnel and human resources department(s) aware of any:

- (i) oral or written warnings given to any employees within the last 180 days? Yes ☐ No ☐

If YES, please provide full details

- (ii) circumstances or incidents which they have reason to suppose could give rise to an EPL claim against the company or any of its directors, officers or employees? Yes ☐ No ☐

If YES, please provide full details

- (iii) Do contracts of employment expressly state that employees are bound by the terms of the employment handbook as amended from time to time? Yes ☐ No ☐

NOTE: Any claims reported or which should have been reported under G 1a and/or G 1 b above will be excluded from cover under the policy

Section H: Other Material Facts

1. (a) After enquiry, are the company, any of its directors or officers or any employees in the personnel and human resources department(s) aware of any other material facts? Yes ☐ No ☐

If YES, please provide full details

A material fact is one likely to influence assessment of this risk, the premium charged or the terms and conditions imposed by the insurer. If you are in any doubt as to whether a fact would be considered material, you should disclose it. All the information requested in this proposal is material.

2. (a) As part of the proposal please attach (where applicable):
 - (i) the latest audited annual report and accounts for the company
 - (ii) the company's current employees handbook.

Section I: Documents Required

1. (a) As part of the proposal please attach (where applicable):
 - (i) the latest audited annual report and accounts for the company
 - (ii) the company's current employees handbook.

Section J: Insurance Details

1. What limit of indemnity is required under this policy?

☐ £500,000 ☐ £1,000,000 ☐ £2,000,000 ☐ £5,000,000

☐ Other (please specify)

Data Protection Act 1998 – Consent to use of information

The insurer will use the information provided herein to manage the insurance policy, including underwriting and claims handling. This may include disclosing it to other insurers, regulatory authorities or to the insurer's agents providing services on their behalf.

In order to detect and prevent fraud, the insurer may at any time:

1. Share information about the proposer and/or its partners, principals, directors, officers and/or employees with other organisations and public bodies including the Police;
2. Check and/or file the proposer's and/or its partner's, principals', directors' and/or officers' details with fraud prevention agencies and databases and if the insurer suspects fraud, the insurer will record this.

The insurer and other organisations may also search these agencies and databases to:

- (a) Help make decisions about the provision and administration of insurance, credit and related services for the proposer, its partners, principals, directors and officers;
 - (b) Trace debtors or beneficiaries, recover debt, prevent fraud and to manage the proposer's accounts and insurance policies;
 - (c) Check identities to prevent money laundering;
3. Undertake credit searches and additional fraud searches.

The insurer can supply on request further details of the databases that they access or contribute to.

Declaration

I the undersigned hereby confirm that I am duly authorised and do give consent to the use of information as set out above.

I also hereby declare that I am authorised to complete this proposal on behalf of the proposer. I undertake to inform the insurer of any material alteration or addition to these statements or particulars which occurs before the commencement of the period of insurance. It is hereby acknowledged and agreed that the terms conditions limitations and exclusions of the policy may be subject to alteration at any time prior to the commencement of the period of insurance should any such material alterations or additions arise. Signing of this proposal does not bind the insurer to offer nor the applicant to accept insurance.

Signed*

Name

Company position

Date

*the signatory should be a director or senior officer of, or a partner of, the company.

NOTICE TO THE PROPOSER

The Insurer

The insurer will be either Markel International Insurance Company Limited or Markel Syndicate 3000 at Lloyd's together with any other subscribing insurer(s).

Prior to any placement being concluded, the proposer will be advised which insurer(s) is/are to write this contract of insurance.

The Law of the Insurance Contract

The parties to this proposed insurance are free to choose the law applicable to the insurance contract. Unless specifically agreed otherwise with the insurer, the proposed contract will be governed by English law.

General Enquiries

If at any time you have any questions or concerns about your policy or the handling of a claim you should, in the first instance, contact Claims Manager, Professional Liability Division, 20 Fenchurch Street, London EC3M 3AZ.

Complaints Procedures

Markel Syndicate 3000

If you are insured by Markel Syndicate 3000 and in the event that you remain dissatisfied and wish to make a complaint, you can do so at any time by referring the matter to the Compliance Officer, Markel Syndicate Management Limited (Lloyd's Managing Agent for Syndicate 3000), 20 Fenchurch Street, London EC3M 3AZ or the Policyholder and Market Assistance Team at Lloyd's.

Their address is:

Policyholder and Market Assistance, Market Services, Lloyd's, One Lime Street, London, EC3M 7HA

Tel: 020 7327 5693 Fax: 020 7327 5225 e-mail: complaints@lloyds.com.

Details of Lloyd's complaints procedures are set out in a leaflet "Your Complaint – How We Can Help" available at www.lloyds.com/complaints and also available from the above address.

If you remain dissatisfied after Lloyd's has considered your complaint, you may have the right to refer your complaint to the Financial Ombudsman Service.

Following this complaints procedure does not affect your right to take legal action or to any other remedy available to you.

The Financial Ombudsman Service's contact details are:

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

website: www.financial-ombudsman.org.uk

email: complaint.info@financial-ombudsman.org.uk

phone: 0800 023 4567 or 0300 123 9123

Markel Syndicate 3000 at Lloyd's of London

Markel Syndicate 3000 is a syndicate at Lloyd's of London. The Lloyd's Managing Agent for Markel Syndicate 3000 is Markel Syndicate Management Limited, registered in England and Wales, with its registered office at 20 Fenchurch Street, London EC3M 3AZ. Markel Syndicate Management Limited is authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and Prudential Regulation Authority (Financial Services Register No.: 204953).

Markel International Insurance Company Limited

If you are insured by Markel International Insurance Company Limited and in the event that you remain dissatisfied and wish to make a complaint, you can do so at any time by referring the matter to the Compliance Officer, Markel International Insurance Company Limited, 20 Fenchurch Street, London EC3M 3AZ.

If you are not satisfied with our final response to your complaint, you may have the right to refer the matter to the Financial Ombudsman Service without affecting your right to take legal action or to any other remedy available to you.

The Financial Ombudsman Service's contact details are:

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

website: www.financial-ombudsman.org.uk

email: complaint.info@financial-ombudsman.org.uk

phone: 0800 023 4567 or 0300 123 9123

Markel International Insurance Company Limited

Markel International Insurance Company Limited, registered in England and Wales, with its registered office at 20 Fenchurch Street, London EC3M 3AZ. Markel International Insurance Company Limited is authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and Prudential Regulation Authority (Financial Services Register No.: 202570).