



## Module 2

# Protect policy range - cover explained

# Protect policy range

## Cover explained

This module is designed to provide a high level overview of the cover provided by the Fish Protect range of policies.

Please take the time to read the policy wording and Insurance Product Information Documents (IPIDs) for full cover details.

# Cover Summary

## CARE PROTECT & HEALTHCARE PROTECT

Policy Features	Level of Cover
Employers' Liability	Up to £10m
Public Liability	Up to £10m
Redundancy	£2,000 per employee or a maximum of £4,000 if more than one employee is made redundant. Maximum total £450 for all cost of notice period claims.
Additional Carer Costs	Up to £1,250
Legal Costs & Expenses	Up to £200,000 per claim; up to £2m in any one year
Employment Law and Health & Safety services provided by Peninsula	✓
Altura e-Learning	✓
Access to Aquarium, online training and risk management platform	✓

# Employers' Liability

## Up to £10m limit

Covers compensation payments and legal costs if an employee sues their employer or ex-employer for a work-related illness or injury.

### What the policy covers

- ✓ Compensation awards to a policyholder's employee.
- ✓ Costs their employee may have had in making their claim.
- ✓ Costs their employee incurs attending court as a witness up to a daily limit of £100.
- ✓ Defence costs the insurer may be charged for defending a policyholder against a claim made by an employee.

### Some things the policy doesn't cover

- ✗ Employee's who are named on the policy as the employer.
- ✗ Injuries when the policyholder is not judged to be at fault.
- ✗ Claims from employees if they have created an unsafe working environment which leads to them being injured.
- ✗ Any fines or penalties as a result of criminal proceedings against the policyholder for breach of health and safety at work legislation.
- ✗ Any events that fall under Road Traffic Act laws.

# Public Liability

## Up to £10m limit

Covers the cost of claims made against the policyholder or their employees by other people or companies

### What the policy covers

- ✓ Injury to other people.
- ✓ Damage to other people's property.
- ✓ Compensation for any:
  - Legal costs the person or company may have had in making a claim.
  - Legal costs and expenses defending any criminal proceedings against the policyholder or their employee for any breaches of health and safety at work law.

### Some things the policy doesn't cover

- ✗ Damage to property belonging to the policyholder.
- ✗ Bodily injury to the policyholder.
- ✗ Any incidents which occur in USA or Canada.
- ✗ Any trips abroad lasting more than 30 days.
- ✗ Any incidents that is not related to 'support duties'. 'Support duties' is care and domestic duties provided by the policyholder's PA/carer that help them live independently.

# Additional Carer Costs

## Up to £1250 in any policy year

If a PA/carers is accidentally injured whilst performing their supportive duties and is unable to work, we will pay towards the additional costs for temporarily replacing them.

### What the policy covers

- ✓ If a policyholder's carer is injured at work up to £250 per week will be paid to the policyholder for any increased care costs.
- ✓ Up to £300 in total (inc. VAT) towards the costs associated to recruiting a replacement PA/carers due to either:
  - A summarily dismissal, or
  - Their carer providing notice to terminate their employment who are then subsequently absent from work due to sickness.

### Some things the policy doesn't cover

- ✗ Costs for the first 7 days after the date of the injury.
- ✗ Claims where evidence of costs is not provided.
- ✗ If any of the following contributed to the temporary loss of an employee:
  - Absence was caused by an existing medical condition or an existing medical condition contributed to it. Including those associated with mental health, such as anxiety and depression.
  - Because the policyholder's employee committed a criminal act.
  - Because of alcohol and substance abuse.
  - If the carer deliberately injured themselves.

# Redundancy Costs

Cover in the event the policyholder needs to make a personal assistant or carer redundant. Subject to UK Legislation

## What the policy covers

- ✓ Redundancy costs up to:
  - £2,000 per employee or a maximum of £4,000 if more than one employee is made redundant.
  - Maximum of £450 for all cost of notice period claims.

It is the policyholder's responsibility to pay any difference in the redundancy amount if it is higher than the policy limit.

## Some things the policy doesn't cover

- ✗ Where the policyholder plans to make a new arrangement to re-employ the person being made redundant.
- ✗ If the policyholder acts fraudulently in any way.
- ✗ If the policyholder doesn't get advice from Peninsula or fails to follow their advice.
- ✗ If the redundancy is voluntary.
- ✗ If the redundancy happens because funding is reduced or withdrawn unilaterally. For example, because central Government changes the law on how care is provided.

# Redundancy Costs

## Policy Conditions

Redundancy and cost of notice period claims can only be made if the person receiving care:

- Goes into full time residential or nursing care.
- Passes away.
- Is told that funds are being reduced or withdrawn.

### Policyholders can only make a claim for redundancy if:

- They were not aware of anything that might produce a redundancy claim when taking out the policy.
- They notify Fish within 8 weeks of the redundancy start date.
- They provide all documents we ask for to support the claim.
- When claiming for a family member they produce evidence they were employed. For example, an employment contract and/or payslips.



**IMPORTANT**  
Advice must be sought from employment law specialists, Peninsula, before any redundancy discussions take place.



Claims for cost of notice can only be made if the Employee is being made redundant and they are entitled to redundancy pay under UK law.



# Legal Costs & Expenses

Up to £200,00 per claim; £2m in any one policy year

Cover pays for the cost of defending employment claims brought against the policyholder by their employee or former employee in a Civil Court or Employment Tribunal.

## What the policy covers

- ✓ The defence costs in defending a policyholder in an employment claim.
- ✓ Compensation and damages payable by a policyholder as determined by a Civil Court or Employment Tribunal.
- ✓ Economic (out of court) settlements approved in advance of a Civil Court or Employment Tribunal hearing.

## Some things the policy doesn't cover

- ✗ Employment claims in which the policyholder has not given full and detailed information. This is to enable Peninsula to give relevant advice.
- ✗ Events that occurred before the insurance policy was in place.
- ✗ Compensatory awards that relate to a finding of direct discrimination, harassment or victimisation.
- ✗ Compensatory awards for a dismissal that is found to be automatically unfair in law.



Cover is 'advice-dependent', which means the insurance will only respond if the policyholder has taken, and followed, the advice from Peninsula before they act against an employee.

# 24/7 Employment Law and H&S Advice Line

Provided by Peninsula Business Services Ltd



## Who is Peninsula?

- Peninsula is a UK leader in Employment Law and Health and Safety consultancy services and has supported Fish policyholders for over 10 years.
- With over 1,000 direct employees throughout the UK, Peninsula responds to over 3,500 employment related advice requests every day. They specialise in delivering high quality HR, Employment Law and Health & Safety advice to their clients.

## Peninsula will provide care users with?

- Unlimited 24/7 Employment Law and Health & Safety advice.
- Access to template policies and terms and conditions of employment.
- Specialist Payroll Team to support with difficult payroll calculations.
- Access to a Specialist Solicitors Team that can assist with settlement agreements, post employment matters and areas of commercial legal advice.
- Access to webinar training on topical matters.

# 24/7 Employment Law and H&S Advice Line

Provided by Peninsula Business Services Ltd



Peninsula can support care users with a wide range of employment law related queries, including:

- Investigation and disciplinary processes.
- Recruitment and selection process.
- Complaints and grievances.
- Absenteeism – cause and remedy.
- Appraisals / performance reviews.
- Family friendly and maternity rights.
- Self-employed and workers.
- Performance management processes.

# Cover Summary

## EMPLOYEE PROTECT

Policy Features	Level of Cover
Employers' Liability	✗
Public Liability, including healthcare liability	Up to £10m
Redundancy	✗
Additional Carer Costs	✗
Legal Costs & Expenses	✗
Employment Law and Health & Safety services provided by Peninsula	✗
Altura e-Learning	✓
Access to Aquarium, online training and risk management platform	✓

# Public Liability, including healthcare tasks cover

Policy Limit £10m - Cover pays for the cost of claims made against PA/carers by the employer or by other people or companies

- What the policy covers**
- ✓ Injury to the employer or other people.
  - ✓ Third party property damage.
  - ✓ Pollution or contamination caused by a sudden, identifiable, unintended and unexpected event.
  - ✓ Errors or omissions in the provision of the following medical treatment to the employer:
    - nursing care.
    - administration of medicines or drugs issued with or without prescription.
    - first aid.

- Some things the policy doesn't cover**
- ✗ Damage to property belonging to the PA/Carer.
  - ✗ Bodily injury to the PA/carers.
  - ✗ Any incidents which occur in USA or Canada.
  - ✗ Any trips abroad lasting more than 30 days.
  - ✗ Any incident that is not related to 'support duties'. 'Support duties' means care and domestic duties the PA/carers carry out for their employer.
  - ✗ Any healthcare tasks the PA/carers is not appropriately trained to carry out.



Any questions – just call your Fish  
Account Manager