

## **Key Points - Policy Cover**

BABTAC are an Appointed Representative of Balens Ltd, who are an Insurance Intermediary. We use Balens regarding insurance as they have the knowledge, and experience to look after our members interests regarding insurance.

Please read the details below to ensure the cover you select is suitable for your requirements.

### **Important information including the Suitability Statement and Statement of Demands and Needs**

There are two aspects to your insurance policy:

1. Core Cover - Professional, Public & Products Liability insurance;
2. Optional Additional Cover - Legal Expenses insurance.

#### **Professional, Public and Products Liability insurance Cover**

As a Beauty Professional you will provide advice, treatment, activities or therapies to members of the public. As such, you can be held legally liable for injury, harm, financial loss and damage to property alleged to have been caused to your clients, patients or other parties as a result of your actions in relation to your profession. BABTAC believe it is important for Members to have insurance against such a risk and have for many years worked with Balens to provide an insurance policy that will meet this need. The Beauty and Health Professionals policy arranged by Balens has been designed to provide defence and payment for damages for the above, as well as covering other risks and services.

#### **Commercial Legal Protection – Optional Cover (please select)**

As a Beauty Professional we have recognised you may have a requirement for additional cover relation to protection legal defence costs that may occur through the course of running your business. The Legal Expenses policy provides defence against criminal allegations and provides access to a legal advice helpline.

For each aspect of the policy, Balens have selected from one insurer with whom they have a binder agreement, and designed an exclusive and comprehensive wording, suitable for the needs of individual Beauty Professionals and their businesses.

- The insurer for the Professional, Public & products liability insurance is Zurich Insurance Company Ltd (Zurich). They are a diversified global insurer who are financially secure.
- For the optional Legal Expenses cover the insurer is DAS Legal expenses Insurance Company Ltd (DAS) who have a good claims record and are also financially secure.

This service is on a non-advised basis, which means we (Balens and BABTAC) do not make a personal recommendation on the suitability of the insurance products. We provide you with sufficient information to enable you to make an informed decision as to whether the insurance policies and the level of cover provided will meet your demands and needs. We act as agent for

the insurers involved when sourcing the policy and placing the insurance. In the event of a claim we act as your agent.

Your insurance cover start and end dates will be specified in your policy schedule. Your obligations to us and how to cancel your policy are detailed in our Terms of Business and other documentation which is provided alongside this Key Points document.

### **Balens Health Professionals Combined Liability Insurance:**

Please refer to the full policy wording which is available on request from BABTAC or on our website, [www.babtac.com](http://www.babtac.com) (members area).

#### **1.0 Professional, Public & Products Liability insurance – Core Cover**

- This policy provides cover for Professional, Public and Products Liability for insured members of BABTAC.
- The policy provides a limit of liability of £6,000,000. This limit is per section and applies to any one claim, for an unlimited number of claims in the policy year for Section 1.1 and 1.2 unless otherwise stated in the schedule. The limit is in the aggregate for Section 1.3. Legal Defence costs are covered in addition to the limit of liability and are unlimited.
- The policy is on a claims occurring basis with a difference. The policy will cover claims that occurred during the policy period irrespective of when the claim is made, meaning that you are protected for claims that may arise, providing the work was carried out during the period of insurance. We include an upgrade of cover feature that protects you against the effects of inflation and rising court awards, which may be an issue for late notified claims.
- The policy will cover you to practice in the UK, cover is also included for temporary trips abroad (please note exclusions apply).
- The policy is an annual policy (unless otherwise stated in the Schedule). The policy is renewable each year.

#### **1.1 Professional Liability**

Cover includes:

- Any breach of your professional duty (malpractice) due to a negligent act, error or omission committed or alleged to have been committed.
- Any act of Libel or Slander committed or uttered in good faith.
- Unintentional infringement of any intellectual property right, design right, registered design, trademark or patent.
- Unintentional breach of confidentiality or unintentional misuse of any information.

#### **1.2 Public Liability**

Cover includes:

- Accidental injuries to third parties and third party property damage.
- Accidental obstruction, trespass or nuisance arising out of your business activities.
- Wrongful arrest detention and/or malicious prosecution.

### **1.3 Products Liability**

Cover includes:

- Accidental injuries to third parties and third party property damage caused by Products.
- Cover in respect of products supplied independently of any treatment, therapy and or advice is only provided where the annual turnover in respect of such Products supplied does not exceed £30,000.

#### **General Exclusions**

- Liability arising out of the injury of any employee.
- Liquidated, punitive damages and/or fines.
- Any liability caused by, contributed by or arising from nuclear radiation or contamination and/or in consequence of war, pollution and/or terrorism.
- Liability arising out of any criminal, fraudulent acts including sexual harassment.
- Liability arising from any claim or in connection with Tour Operators Liability as defined by The Package Travel, Package Holidays and Package Tours Regulations Act 1992, The Package Travel and Linked Travel Arrangements Regulations 2018 or any similar legislation.

#### **Extensions**

- Loss of reputation cover up to £35,000 per occurrence.
- Expenses incurred to replace or restore lost or damaged documents up to £50,000 per occurrence.
- Retrospective Extension - cover provided by Sections 1.1, 1.2 and 1.3 applies to events that happened prior to the commencement of this policy provided such an event is first notified to you during the period of insurance and the previous insurance policy in force at the time of the event will not respond. Full details of the previous policy must be provided.

#### **Conditions**

Please note the following conditions which apply to the policy, full details may be found in the policy wording.

- Record Keeping
- Instruments
- Treatments by Beauty Therapists, Cosmetologists and Hairdressers

#### **General Restrictions**

- Endorsements may apply to your policy. These will be shown in your policy documents.
- Cover excludes any treatment, therapy and/or advice to any persons under the age of 16 unless guardian or parental consent has been obtained and recorded on any treatment record.

- Cover for teaching and or training is not provided automatically where a certificate of competence is provided (this does not apply to healing activities or teaching/training provided by a Reiki Master).Cover for students is only provided if activities are supervised by a qualified person or the student is deemed competent to undertake such work by their school or tutor.

## **2.0 Legal Expenses Insurance - Optional additional cover**

You have the option to include DAS Legal Expenses insurance with your membership and insurance package. The Legal Expenses policy provides defence against criminal allegations including allegations of sexual impropriety or assault, that may arise during the course of running your business and provides access to legal advice and tax helplines. Please refer to the DAS policy wording for full details.

### **Key points regarding the DAS Legal Expenses Insurance are:**

- Cover for legal defence costs against criminal allegations with a limit of liability of £100,000 per claim.
- Additional cover includes:
  - Pre-disciplinary and Disciplinary Hearings cover.
  - Jury service and court attendance cover.
  - Tax protection cover relating to a tax enquiry, an employer compliance dispute and/or VAT dispute.
  - Unlimited access to legal and tax helplines.
  - Counselling service.