

Legal Assistance Services

Additional support for ForeFront policyholders

CHUBB®



Additional legal services

Specialist independent legal advice for Chubb policyholders.

There are risks to running a successful business, but with the right protection and advice you can concentrate on what matters most - making your business the best it can be.

To help you along the way, Chubb has partnered with specialist law firm, DAC Beachcroft LLP, to provide a range of legal services exclusive to Chubb policyholders. By combining Chubb's superior insurance protection with the right legal support, you're in safe hands as you navigate today's sometimes complex business environment.



How has the Helpline helped Chubb Policyholders?

The Chubb Helpline consistently assists our Policyholders. The following are examples of how Chubb clients have benefitted from these additional legal services.

Able to give an insured early advice on a tricky grievance for an existing employee, they were advised as to how to tackle the issues in the grievance, engagement with the employee and how to get the relationship back on track before it escalated into a possible resignation and ET claim.

How can DAC Beachcroft help?

DAC Beachcroft provide an independent service through specialist senior solicitors to support HR and management teams in resolving high-risk workplace issues. They deliver this service quickly, efficiently and confidentially through robust and comprehensive reports, backed with an assurance of full procedural compliance.

A Director was considering winding up a business and was unsure of who they owe duties to and, in particular, whether they owed duties to creditors. The helpline was able to provide a high level overview of when duties are owed to creditors to ensure that they are aware of their obligations.

Legal Helpline



The CHUBB ForeFront Helpline is at the heart of the proposition for our policyholders.

It provides clear and practical advice on the day-to-day issues relating to employee and regulatory matters. The helpline is available at no charge, for a maximum of 42 minutes per issue.

What do you need to provide?

You just need your policy number, the name of your company or organisation and the name of your broker (we will need this information to assist with your query). If it is an employment matter you also need the name of the employee about whom the query relates.

When would you use the helpline?

At the earliest possible opportunity when a potential problem arises relating to any employment issue, regulatory matter (for example a HSE or criminal investigation) or any other matter which gave rise to a claim against a director or officer (for example misrepresentation).

Call the helpline if :

- You have a problem concerning any recruitment process
- You need to know what to do with an employee complaint or grievance
- You have a potential problem with bullying or harassment involving an employee
- You are made aware of an allegation of discrimination involving an employee
- You have a problem with an employee absent from work for any reason including long term sickness
- You believe you may need to give an employee a warning or you are thinking about dismissal

- You are notified of a concern by any regulator or investigator (including the police, SOCA, the HSE, the EA, local Trading Standards Officer or the European Commission)
- Your business is being raided by the police or any other regulator
- You receive any sort of letter inviting you or your business to an interview under caution
- You receive any sort of summons from the CPS or the Magistrates Court or from any other regulator which requires you or your business to attend the Magistrates Court for a hearing
- You have a commercial issue with a client or customer that you don't know how to respond



Legal Helpline

continued

Exclusions from the helpline:

This Helpline is not to be used to notify claims. Should you need to notify a claim please contact your broker or email <mailto:uk.claims@chubb.com> or uk.claims@chubb.com.

Detailed consideration of documents/evidence is outside the scope of the helpline as is amending and/or drafting documents. It does not include guidance on matters involving collective employment law rights (for example, it does not include collective consultation redundancy procedures or TUPE consultation procedures), trade unions or industrial actions. The helpline function is not intended to be used as a substitute for comprehensive legal advice and/or representation and the helpline is not intended for use where the insurance policy has triggered.

The helpline is available Monday to Friday from 8.30am until 5.30pm.

Call 0345 350 3663 or email chubhelpline@dacbeachcroft.com



Contract support



Chubb policyholders also benefit from comprehensive contract support involving a free one-hour commercial contract review where DAC Beachcroft will assist with establishing:

- Does the contract clearly set out what each party's obligations and requirements are?
- Are the payment terms clear?
- Is it clear what should happen if something goes wrong?
- Does the contract contain any onerous terms concerning the limitation of liability?
- Does the contract contain robust confidentiality terms?
- Is the contract consumer law compliant?

Additionally, there is a free one hour employment contract, policy and procedure review to assist with establishing:

- Does the contract contain the particulars as required by section 1 of the Employment Rights Act 1996?
- Does it adequately limit the rights of the employee during the probation period?
- Does the wording give any contractual rights concerning discretionary benefits?
- Can the company rely on the right to vary flexibility clause or does it need to be extended?
- Do wages comply with NMW rates? Is there a right to make deductions from wages with regard to monies due, overpayments etc?
- Do hours of work comply with the Working Time Regulations? Are opt out agreements required?

- Are post-termination restrictions reasonable?
- Does the company have adequate rights concerning sickness benefits in terms of medical investigation and right to dismiss?
- Does holiday pay comply with the Working Time Regulations? Do they need further clarification in terms of notice rights, calculations and accrual provisions?
- Does the company have the right to pay the employee in lieu of notice or to place the employee on garden leave?
- Any support needed beyond the free one hour contract reviews can be negotiated directly between Chubb Policyholders and DAC Beachcroft



Legal Representation

If you have a regulatory issue and need legal representation, Chubb has negotiated preferential and discounted rates for the benefit of all current Chubb ForeFront and EPL policyholders as an additional benefit.

Subject to the terms of your policy, Chubb will provide you with comprehensive legal support and representation in connection with any criminal or regulatory issue investigation. This will include:

Dealing with the investigator direct

As soon as you receive notification of an investigation, our partner will contact the investigator on your behalf which will mean that all correspondence will come to and our partner will be able to discuss details of the investigation and agree how the process will proceed.

Dealing with the investigation

The first step in any investigation is to make sure you are aware of the steps being undertaken by the investigator as far as possible and to ensure you are seen to co-operate fully where appropriate. How this will be achieved will depend very much on who the investigator is (e.g. police, HSE, Trading Standards etc) and what the investigation relates to. Our partner will make sure that you are in the best possible position from the outset.

Identifying witnesses and preparing the case

Our partner will make sure that any relevant witnesses are identified at an early stage so that they can maximise the available time to work with the relevant witnesses in connection with the preparation of witness evidence and, if necessary, to prepare the relevant witnesses for any appearance in court (whether Magistrates Court or Crown Court). Cases can be time-consuming when all witnesses have other responsibilities elsewhere doing their day job. Therefore, inconvenience to a minimum and witnesses are contacted when their time can be effectively used.

Our partner will also work with you to identify the relevant documents for disclosure and for your defence.

Dealing with regulatory interviews

Interviews can be daunting but they can be vital to defending your position pro-actively. Our partner will make sure you are fully prepared and supported in any interview in order to stand the best chance of preventing the investigation proceeding to a prosecution.

Representation in any prosecution

If you are prosecuted, our partner will make sure that you are legally represented at the hearing and that your experienced representative is fully prepared and briefed to represent you. This will include making sure your witnesses are comfortable with their part in any proceedings.

Our partner will ensure that any case is fully argued at the relevant stages (including at the trial or any sentencing hearing) and that where necessary the prosecution and any witnesses are put to strict proof and thoroughly cross-examined.

After the hearing

If any matters need attending to following the hearing, our partners' service will continue until the proceedings are fully concluded. Whilst its not expected to be needed very often, our partner service includes dealing with any matters or further hearings in relation to compensation and, if appropriate, consideration of an appeal.

If you would like our partner to provide your legal representation, it is important that you advise your broker and/or Chubb during the claims notification process.



Civil Liability

Our service

If you or your directors receive a civil claim and need legal representation, Chubb has negotiated preferential and discounted rates, for the benefit of all current Chubb ForeFront and EPL policyholders.

Subject to the terms of your policy, our partner will provide you with start-to-finish legal representation in connection with any civil claim. This will include:

Dealing with claims within the Pre-Action Protocol

Our partner will assist you in dealing with any civil claim under the relevant Pre-Action Protocol. This will include responding to any formal Letter of Claim and, where appropriate, resolving the dispute within the Pre-Action Protocol.

Responding to civil proceedings

If proceedings are issued against you, our partner will assist you in responding to the claim. This will include taking initial steps to acknowledge the claim and drafting a Defence. Our partner will then advise you in relation to every stage of the litigation. This includes any formal disclosure exercise and the preparation of witness or expert evidence. They will also ensure that you are legally represented at any hearing or trial and that you are comfortable with your part in the proceedings.

Alternative Dispute Resolution (ADR)

Civil claims are often resolved by some form of dispute resolution, such as mediation. Our partner will guide you through any ADR process and represent you at any dispute resolution meeting. Where appropriate, they will

provide advice on settlement strategy and seek to resolve claims with as little disruption to the business as possible.

Concluding matters

If any matters need attending to following a trial or ADR, our partners' service will continue until the matter is fully concluded. While it is not expected this to be needed very often, our partner service includes dealing with any ancillary matters following a trial and, if appropriate, consideration of an appeal.

If you would like our partner to provide your legal representation, please inform your broker when you notify them of the claim under your Chubb policy.



Your Legal Partners



Independent Legal and HR Support

DAC Beachcroft has a People Pool of independent HR and legal professionals which is the type of service that businesses might benefit from if, for example, someone independent is needed to carry out an investigation or a disciplinary process, or if workplace mediation is required.



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The employment law environment is constantly changing. Keep up to date with developments, comments and opinions.

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About DAC Beachcroft LLP

About DAC Beachcroft LLP DAC Beachcroft is an international law firm with more than 2,500 professionals, including 170 partners and 950 lawyers who specialise in insurance and reinsurance matters; one of the largest insurance groups of any law firm. DAC Beachcroft is a commercial firm focused on providing excellence and complete legal services in its core sectors of insurance, financial services, technology, property, and real estate, healthcare and energy.

As a full service commercial law firm, with offices in 12 locations across the UK and Ireland (including Scotland, together with offices in Belfast and Dublin), and 8 further international offices and networks around the world, it is further placed to support Chubb's insureds on a wide range of issues, including employment law and HR queries, Directors & Officers issues and general commercial matters.

DAC Beachcroft also has one of the largest employment law practices in the UK. Its employment team is nationally ranked as a Band 1 Employment Firm - National Leaders - in Chambers & Partners UK with over 70 lawyers across the UK (London, Leeds, Bristol, Manchester and Newcastle), meaning it is able to offer a complete service to insureds on any employment law and HR queries. It also has employment experts in Belfast and Dublin to assist insureds in those locations.

Find out more

For more information or to discuss a specific requirement, please contact the team at DAC Beachcroft on 0345 350 3663 quoting your Chubb ForeFront policy number or email chubbhelpline@dacbeachcroft.com

www.chubb.com/ForeFrontHelpline

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Chubb European Group SE (CEG). Operating in the UK through a branch based at 100 Leadenhall Street, London EC3A 3BP. Risks falling within the European Economic Area are underwritten by CEG which is governed by the provisions of the French insurance code. Registered company number: 450 327 374 RCS Nanterre. Registered office: La Tour Carpe Diem, 31 Place des Corolles, Esplanade Nord, 92400 Courbevoie, France. Fully paid share capital of €896,176,662.

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