

# Technology and Communications (professional combined)

## 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, trust, charity, establishment or association proposing for cover.
2. This proposal must be completed in ink, signed and dated. All questions must be answered to enable a quotation to be given but completion does not bind you or Underwriters to enter into any contract of insurance. If space is insufficient to answer any question 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. You are recommended to request a specimen copy of the proposed policy or certificate from your insurance broker and to consider carefully the terms, conditions, limitations and exclusions applicable to the cover. The proposed insurance covers only those losses which arise from certain events discovered or claims made against the Assured during the period of insurance, as specified in the policy or certificate.

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## GENERAL INFORMATION (Mandatory)

TO BE COMPLETED BY ALL ASSURED(S)

### 1. Proposer

Name

Address of registered or principal office

Postcode

Telephone number

Email address

Website address

### 2. Cover requirements

Please indicate (✓) which sections are required

- |  |                          |                        |
|--|--------------------------|------------------------|
| Professional Indemnity (Mandatory)   | <input type="checkbox"/> | (Please answer part A) |
| Public liability/products liability  | <input type="checkbox"/> | (Please answer part B) |
| Employers Liability  | <input type="checkbox"/> | (Please answer part C) |
| Directors and Officers Liability   | <input type="checkbox"/> | (Please answer part D) |
| Entity Defence   | <input type="checkbox"/> | (Please answer part E) |
| Employment Law Protection ( <i>N.B. not available in Northern Ireland</i> )    | <input type="checkbox"/> | (Please answer part F) |
| Property Damage ( <i>including Money/PA Assault</i> )                          | <input type="checkbox"/> | (Please answer part G) |
| Damage to portable property  | <input type="checkbox"/> | (Please answer part H) |
| Business Interruption ( <i>not available unless Property Damage selected</i> ) | <input type="checkbox"/> | (Please answer part I) |
| Fidelity   | <input type="checkbox"/> | (Please answer part J) |
| Cyber and data risks   | <input type="checkbox"/> | (Please answer part K) |

*N.B. You must complete the declaration on Page 26.*

## PART A – PROFESSIONAL INDEMNITY (Mandatory)

TO BE COMPLETED BY ALL PROPOSERS

3. What are your gross turnover/income/fees for your last financial year? £

4. Please provide a percentage breakdown of such turnover/income/fees between:

%

- UK
- EU
- USA
- Elsewhere

**Total**

100%

5. Do you enter into contracts under a jurisdiction other than UK law?

*N.B. 'Jurisdiction' refers to where claims can be brought e.g. UK courts. It does not restrict where work can be undertaken.*

YES  NO

If YES please provide full details of the jurisdictions involved including details of any overseas sales offices or subsidiaries

6. Please provide a percentage breakdown of your activities

*N.B Cover is only provided for those activities declared*

	UK	EU	Elsewhere	USA
<b>(a) Hardware</b>				
(i) Design and manufacture of own hardware				
(ii) Design only				
(iii) Sale or supply (no customisation)				
(iv) Sale or supply (including customisation)				
(v) Maintenance and Installation				
<b>(b) Software and Applications</b>				
(i) Bespoke software (own software or apps, including customisation or installation)				
(ii) Sales, distribution, licences of 3 <sup>rd</sup> party software or apps including customisation and installation				
(iii) Managed services (maintenance, support, updates)				
(iv) Software as a service/application hosting				

(v) Games/mobile apps/social media				
<b>(c) Hosting &amp; Internet Services</b>				
(i) Website design and hosting				
(ii) Marketing, domain registration and SEO				
(iii) System and network hosting (hosted by a 3 <sup>rd</sup> party)				
(iv) System and network hosting (hosted on your servers)				
(v) Telecom sales: broadband/mobile phone/VOIP				
<b>(d) IT Professional Services (for a fee)</b>				
(i) Training/helpdesk				
(ii) Project management				
(iii) Webdesign (no hosting)				
(iv) Data processing/outsourcing				
(v) System architecture and network consultancy				
(vi) IT/Data security consultancy				
(vii) Supply of support/technical staff				
<b>(e) Other (please provide full details):</b>				

**7. Do you undertake contracts involving?**

- E-commerce, payment processing or financial trading platforms
- Medical and healthcare software, data or other applications
- Industrial/engineering process control work or structural design
- Energy, aviation, power and utilities or any other safety critical industries
- Bespoke information security systems
- Hardware design or hardware manufacture
- Websites or applications which include dating, gambling, gaming or other social media output

YES       NO

If YES please provide full details of the 3 largest contracts commenced in the last 12 months:

**8. Do your standard contracts exclude liability for consequential loss, special or indirect damages, loss of profits, liquidated damages**

YES  NO

If NO Do your standard contracts limit liability to no more than 150% of the value of the contract to you?

YES  NO

please attach a copy of your standard terms and conditions and provide details of the three largest contracts commenced in the past 12 months

**9. Has your maximum fee or contract value anticipated in the last 3 years exceeded £1,000,000?**

YES  NO

If YES please provide full details including a breakdown of the services performed

**10. Within the last 12 months have there been any disputed fees, charges or contracts terminated early?**

YES  NO

If YES please provide full details including a breakdown of the services performed

## 11. Experience

Can you confirm that

- at least 50% of all directors, partners, principals and consultants are suitably qualified or have at least 3 years relevant experience?
- there have been no significant fluctuations in your income or change in your activities over the last 3 financial years and none are anticipated in the forthcoming year? (not applicable where you have been established for less than 3 years)
- you do not act as a self employed contractor for one employer?

YES  NO

If NO please provide full details:

## 12. YOUR SECURITY

Can you confirm that

- satisfactory written references are always obtained from former employers for the three years immediately preceding the engagement of any employee responsible for money, accounts or goods
- all cheques drawn for more than £25,000 require two signatories (including at least one partner)? (Not applicable where you are a sole trader)

YES  NO

If NO please provide full details:

## 13. Have you had any Professional Indemnity claims within the last 5 years?

*You should answer 'YES' to this question if within the last five years you or any person insured or proposing for Professional Indemnity insurance has had any claim, prosecution, proceedings or investigations made or instigated against them whether successful or otherwise.*

YES  NO

If YES please provide full details:

## **PART B – PUBLIC LIABILITY/PRODUCTS LIABILITY (Optional)**

ONLY COMPLETE IF YOU REQUIRE PUBLIC LIABILITY/PRODUCTS LIABILITY  
(Please Note: Cover is NOT provided in respect of efficacy or financial loss)

'Efficacy' is the failure of a programme or the like to perform its intended function

'Financial Loss' is a pecuniary loss suffered by a third party not involving damage to property or injury to any person

### **14. Do you perform any of the following:**

- Manual work (other than installation of IT/Computer equipment)
- Work at a height of 3metres or higher
- Work involving heat generating equipment or machinery
- Building power supply or heating and cooling equipment
- Work which is airside, offshore or involving rail
- Manufacturing

YES  NO

If YES please provide full details:

**If your income is £150,000 or less please proceed to Question 19.**

**If your income is greater than £150,000 please answer the following questions:**

### **15. Do you perform IT installation work or work away from your own premises?**

YES  NO

If YES please provide full details including turnover/fees relating to this work, whether such work is performed by you or bona fide subcontractors :

### **16. Do you design or manufacture (or arrange the design or manufacture on your behalf of) any products**

YES  NO

If YES please provide full details

**17. Do you source any hardware, firmware, cabling or other products (other than software) from outside the EEA?**

YES  NO

If YES please answer the following

Do you have procedures in place for

- o Testing your products and quality assurance
- o Ensuring a written contract is in place which indemnifies you for any product defect failure or injury
- o Ensuring the vendor has products liability insurance in place

YES  NO

If NO to either of the above please provide full details as to why not:

**18. Do you sell or distribute physical goods or products from your own premises (as a retailer)?**

YES  NO

If YES please provide full details:

**19. Have you had any Public liability/products liability claims within the last 5 years?**

*You should answer 'YES' to this question if within the last five years you or any person insured or proposing for Public liability/products liability insurance has had any claim, prosecution, proceedings or investigations made or instigated against them whether successful or otherwise.*

YES  NO

If YES please provide full details:



## **PART C - EMPLOYERS LIABILITY (Optional)**

ONLY COMPLETE IF YOU REQUIRE EMPLOYERS LIABILITY COVER

### **20. Does your waggeroll exceed £250,000?**

YES  NO

If YES please provide your waggeroll and a percentage split between clerical/IT professional staff and any other (if other please provide details of duties performed)

### **21. Are you exempt from holding an ERN number?**

YES  NO

If NO please advise the ERN number and the ERN number of any subsidiaries to be covered by this insurance

### **22. Do you supply any staff to clients for a period longer than 6 weeks?**

YES  NO

If YES please answer the following

- o Do you supply all staff under contracts for service (not as an employment agency)
- o Do you ensure written contracts are in place for such staff to ensure that working conditions are the responsibility of the hirer

YES  NO

If NO please provide full details:

### **23. Have you had any Employers Liability claims within the last 5 years?**

*You should answer 'YES' to this question if within the last five years you or any person insured or proposing for Employers Liability insurance has had any claim, prosecution, proceedings or investigations made or instigated against them whether successful or otherwise.*

YES  NO

If YES please provide full details:

## **PART D – DIRECTORS AND OFFICERS LIABILITY SECTION (Optional)**

ONLY COMPLETE IF YOU REQUIRE DIRECTORS AND OFFICERS COVER

### **24. Is the Company registered in England and Wales, Scotland or Northern Ireland?**

YES  NO

If NO please provide full details:

### **25. Is the Company either a Private Limited Liability Company, Limited Liability Partnership or a Company Limited by Guarantee?**

YES  NO

If NO please provide full details:

### **26. Is more than 25% of turnover generated from the USA?**

YES  NO

If YES please provide full details:

### **27. Are shares owned by anyone other than Directors of the Company or members of their families?**

YES  NO

If YES please answer the following questions

Are all such shares owned by the Company's parent or ultimate holding company?

YES  NO

If YES please answer questions 16.1

If No please answer questions 16.2

**27.1 (a)** Name of the ultimate holding company

**(b)** Country of registration in respect of ultimate holding company

- 27.2 Please indicate (✓) which of the following apply: ✓
- (i) A Financial Institution\* holds no more than 20% of the shares (directly or indirectly)
- (ii) A Financial Institution\* holds more than 20% of the shares (directly or indirectly)   
*(if this applies please answer question (a) below)*
- (iii) A shareholder, not being a Financial Institution\*, holds no more than 20% of the shares (directly or indirectly)
- (iv) A shareholder who is not a Financial Institution\* holds more than 20% of the shares (directly or indirectly) *(if this applies please answer question (b) below)*

\* N.B. The term 'Financial Institution' is meant in its broadest sense, i.e. bank, insurance company, venture capital company, building society, investment trust, etc

- (a) If you have indicated that (ii) above applies please provide full details including the name of the shareholder and percentage shareholding.

- (b) If you have indicated that (iv) above applies please provide full details including the name of the shareholder and percentage shareholding.

## 28. Standard cover does not include USA/Canadian jurisdiction, is this required?

*N.B. 'Jurisdiction' refers to where claims can be brought e.g. UK courts. It does not restrict where the Company operates. Extending the jurisdiction will affect the terms provided.*

YES  NO

If YES please answer the following questions:

- (a) Does the Company have any employees in the USA

YES  NO

If YES please state the approximate number of employees in the USA

- (b) Does the Company have any subsidiaries and/or any assets in the USA?

YES  NO

If YES please answer the following questions:

- (i) In respect of such subsidiaries, are they wholly owned?

YES  NO

- (ii) Who owns the minority interest?

(iii) What proportion of the share capital is in the minority interest?

(c) Does the Company or any of its subsidiaries have any of their stocks, shares or debentures issued in the USA?

YES  NO

If YES please answer the following questions:

(i) on what date was the last offer/tender/issue made?

/  /

(ii) was the offer subject to the United States Security Act 1933 and/or the Securities Exchange Act of 1934 and/or any amendments thereto?

YES  NO

(iii) was a 20-F filing made to the ISA Regulatory Authorities?

YES  NO

If 'YES' please attach a copy of the latest 20-F filing or similar filing made to the ISA Regulatory Authorities

(d) From the Company's latest audited report and accounts (in the case of new companies utilise management projections for the year) please state the total consolidated assets (i.e. fixed plus current) of the Company (including subsidiaries) in

- o UK £
- o USA £
- o Elsewhere £
- o **Total** £

**29. Has the Company continuously traded for at least 12 months?**

YES  NO

If NO please answer the following question

Please state the date since the Company has continuously traded

/  /

N.B. Please attach a copy of the business plan.

**30. Has there been a management buy-in (MBI) or buy-out (MBO) within the last two years?**

YES  NO

If YES please answer the following question

Please state the date of the MBI/MBO

/  /

**31. Can you confirm that neither the Company nor any of its subsidiaries**

- is a Financial Institution
- is primarily a 'dot.com' company
- is a bio-tech/life sciences company
- holds an Air Travel Organisers' Licence (ATOL)
- acts as a Sports Agent

*N.B. For the purpose of this quotation the term 'Financial Institution' is meant in its broadest sense, i.e. bank, insurance company, venture capital company, building society, investment trust, etc*

YES  NO

If NO please provide full details:

**32. Can you confirm that**

- there are no plans to trade the Company's shares
- the Company has not had a pre-tax loss or negative net worth (share capital plus reserves) in any of its last two complete financial years nor is a pre-tax loss or negative net worth anticipated in its current financial year.
- the Company and its subsidiaries are solvent and able to meet their financial obligations as they fall due ((including pensions and benefit obligations)?

YES  NO

If NO please provide full details:

**33. Have you had any Directors & Officers claims within the last 5 years?**

*You should answer 'YES' to this question if within the last five years any person insured or proposing for Directors and Officers insurance has had any claim, prosecution, proceedings or investigations made or instigated against them whether successful or otherwise.*

YES  NO

If YES please provide full details:

**PART E – ENTITY DEFENCE SECTION (Optional)**

ONLY COMPLETE IF YOU REQUIRE ENTITY DEFENCE COVER

**34. Have you had any Entity Defence claims within the last 5 years?**

*You should answer 'YES' to this question if within the last five years you or any person insured or proposing for Entity Defence insurance has suffered any loss or had any claim, prosecution, proceedings or investigations made or instigated against them involving public relations crisis management, identity fraud, official investigations, Corporate Manslaughter, breach of contract, pollution, taxation or Data Protection whether successful or otherwise.*

YES  NO

If YES please provide full details:

**PART F – EMPLOYMENT LAW PROTECTION (Optional) (NOT AVAILABLE IN NORTHERN IRELAND)**

ONLY COMPLETE IF YOU REQUIRE EMPLOYMENT LAW PROTECTION COVER

**35. What are your total number of**

- o full time employees
- o part time employees
- o seasonal employees

**TOTAL**


*N.B. Employees include anyone under a contract of employment, including Directors and Officers*

**36. Are all employees domiciled in and work in England, Scotland or Wales?**

YES  NO

If NO please provide full details:

**37. FINANCIAL**

Can you confirm that you and your subsidiaries are solvent and able to meet all financial obligations as they fall due (including pensions and benefit obligations)?

YES  NO

If NO please provide full details

### 38. HUMAN RESOURCES

If your total number of employees exceed 100, can you confirm that you have your own Human Resources (HR) department staffed by qualified employment solicitors or employees qualified to Certificate in Personnel Practice level or higher\*, or that you use external consultants qualified to a comparable standard?

YES  NO

*\*N.B. As issued by the Chartered Institute of Personnel and Development*

### 39. PROCEDURES

Can you confirm the following good practice

- A contract of employment is issued to all employees.
- Written instructions are issued to all staff in the proper implementation of personnel policies and procedures.
- Such contract, instructions and employment policies were drafted in accordance with the latest ACAS guidelines/recommendations and are regularly updated and reviewed
- There are no plans to revise any existing employee benefits during the next twelve months (e.g. Pensions etc)
- Redundancy procedures comply with all statutory requirements and follow ACAS. guidelines and good practice?

YES  NO

If NO please provide full details:

### 40. WORKFORCE

Can you confirm that

- there have been no fundamental changes in the number of employees employed during the last year and none are anticipated
- the number of employees who have either taken early retirement, resigned or had their employment terminated (with or without cause) has not exceeded 20% of the total workforce over the last 2 years
- there has been no adverse reaction to any previous redundancies?

YES  NO

If NO please provide full details:

#### 41. MERGERS OR ACQUISITIONS

Can you confirm that during the last 12 months you have not merged with or been taken over by any other company or has not acquired or disposed of any companies?

YES  NO

If NO please provide full details:

#### 42. Have there been any Employment Law Protection claims/allegations or tribunals within the last 5 years?

YES  NO

*You should answer 'Yes' to this question if, within the last five years*

- *the Proposer or any person insured or proposing for Employment Law Protection insurance has had any claim, prosecution, proceedings or investigations made or instigated against them whether successful or otherwise*
- *the Proposer has had employees who have*
  - *made, or have made against them, allegations of discrimination, bullying and/or harassment (whether sexual, racial or otherwise)*
  - *become involved in a dispute with another party which has or could have resulted in an Employment Tribunal (or similar) or legal proceedings.*

If YES please provide full details:

### **PART G – PROPERTY DAMAGE (Optional)**

ONLY COMPLETE IF YOU REQUIRE PROPERTY DAMAGE COVER

**43. Standard cover is available including £50,000 combined sum insured for stock, general contents, tenants improvements, computer equipment and portable electronic equipment plus £100,000 business interruption on a flexible first loss basis**

**Is this adequate for your insurance needs?**

YES  NO

If YES please proceed to Question 45

If NO please proceed to Question 44



#### 44. SCHEDULE OF PREMISES AND SUMS INSURED

Please provide details of the premises to be covered and the sums insured required.

	Premises address	Post code	Buildings Sum Insured	General Contents Sum Insured	Computer Equipment Sum Insured	Tenants Improvements Sum Insured	Stock Sum Insured
1							
2							
3							
4							
5							
6							

*N.B.*

- 1. Sum insured for contents is mandatory for each premises insured*
- 2. The sum insured for buildings should represent the cost of rebuilding the buildings in a condition equal to but not better or more extensive than its condition when new.*
- 3. The sum insured for contents should represent the current replacement value*

#### 45. USE OF THE PREMISES

Are the premises occupied by you solely as offices (or office/retail or office/residential mixed use development) or as part of your private dwelling?

YES  NO

If NO please provide full details:

## 46. CONSTRUCTION AND MAINTENANCE

Can you confirm that

- the buildings are not listed buildings
- the buildings were built after 1800
- the buildings are constructed of brick, stone or concrete and roofed with slates, tiles, metal, concrete, asphalt or other non-combustible materials
- the buildings are in a good state of repair and, along with all walls, gates, fences, car parks, yards, private roads, pavements and paths on or around the premises for which you are responsible, are well maintained and free from damage
- no more than 20% of the total roof area of the buildings consist of a flat roof and such roof is not more than 10 years old?

YES  NO

If NO please provide full details:

## 47. SITE AND SECURITY

Can you confirm that

- the premises have never suffered from flooding or subsidence and are not situated in an area troubled by either flooding or subsidence
- there are no large trees within 3.5 metres of the premises
- the buildings are securely locked and protected\* when you have closed for business or when the office is unattended (Note ; it is a condition precedent to liability that these security protections are always complied with when you have closed for business or when the office is unattended)?

**"Securely locked and protected"** means that

- (i) all external or internal doors leading to any part of the Building not occupied by you are secured with either
  - (a) if an aluminum door: a cylinder mortice deadlock
  - (b) if an armored plate door: the door manufacturer's locks as supplied
  - (c) if a UPVC door: a multi-point locking system incorporating a minimum of 3 deadbolts
  - (d) if any other type of single leaf door:
    - (1) if the door is at least 4.5 cm thick: a five lever mortise deadlock to at least BS 3621 with a 17.5 cm boxed steel striking plate
    - (2) if less than 4.5 cm thick: either a deadlocking rim latch keyed into the deadlock position or a mortice deadlock and two key operated security bolts engaging with the door frame and with internal operation only
  - (e) if double-leaf doors: standing leaf to be secured with internal surface mounted key operated security bolts or concealed flush bolts sited top and bottom engaging with the door frame and the floor; final closing leaf secured with either a lock fitted as above dependent on door type or both leaves fitted with a coach-bolted locking bar secured with a close shackle padlock (or, if the locking bar is sited internally, either a close or open shackle padlock) having at least five levers
  - (f) if designated as a fire door, either
    - (1) a panic bar locking system incorporating bolts which engage both the head and sill of the door frame, or
    - (2) a mortise lock specifically designed for emergency exit doors which can be opened from the inside by conventional handle and/or thumb turn mechanism
- (ii) where the sum insured on Office Contents
  - (a) is £50,000 or less, all external ground floor and accessible windows and/or skylights are secured with key operated window locks or screwed shut
  - (b) exceeds £50,000 but is less than £75,000 all external ground floor and other accessible windows and/or the glass portion of any external doors are protected by adequately secure metal bars, grills, metal shutters or collapsible metal security grills
  - (c) exceeds £75,000, all external ground floor and accessible windows and/or skylights are secured with key operated locks or screwed shut and are further protected by a NACOSS 'Redcare' interactive alarm

YES  NO

If NO please provide full details:

**48. Is Terrorism cover required?**

YES  NO

**49. Have there been any Property Damage claims within the last 5 years?**

*You should answer 'YES' to this question if within the last five years you or any person insured or proposing for Property Damage insurance has suffered any loss or made any claim (whether insured or not) which would have fallen within the scope of the proposed insurance irrespective of whether or not such loss or claim relates to the property proposed for insurance*

YES  NO

If YES please provide full details:

**PART H – DAMAGE TO PORTABLE PROPERTY (Optional)** (ONLY AVAILABLE IF 'PROPERTY DAMAGE COVERED')

ONLY COMPLETE IF YOU REQUIRE DAMAGE TO PORTABLE PROPERTY COVER

If you have answered YES to question 43 'standard cover' please proceed to question 51

If you have answered NO to question 43 'standard cover' please proceed to question 50

**50. Sum Insured in respect of portable property**

*NB This is portable equipment used in the course of your business e.g laptops, mobile phones* £

**51. Have there been any Damage to portable property claims within the last 5 years?**

*You should answer 'YES' to this question if within the last five years you or any person insured or proposing for Damage to portable property insurance has suffered any loss or made any claim (whether insured or not) which would have fallen within the scope of the proposed insurance irrespective of whether or not such loss or claim relates to the property proposed for insurance*

YES  NO

If YES please provide full details:

**PART I – BUSINESS INTERRUPTION (Optional)** (ONLY AVAILABLE IF 'PROPERTY DAMAGE COVERED')

ONLY COMPLETE IF YOU REQUIRE BUSINESS INTERRUPTION COVER

If you have answered YES to question 43 'standard cover' please proceed to question 56

If you have answered NO to question 43 'standard cover' please proceed to question 52

**52. Please state the Sum Insured required in respect of Revenue** £

*Additional Increased Cost of Working automatically included within revenue*

**53. Please state the Sum Insured required in respect of Additional Cost of Working** £

**54. Please state the Sum Insured required in respect of Flexible First Loss** £

**55. Please indicate (✓) which Indemnity Period is required?**

6 months

12 months

18 months

24 months

36 months

**56. Do you have a disaster recovery and/or business continuity plan which is tested annually?**

YES  NO

If NO please provide full details:

**57. Are all electronic records backed up and removed from the site at least weekly?**

YES  NO

If NO please provide full details:

**58. Have there been any Business Interruption claims within the last 5 years?**

*You should answer 'YES' to this question if within the last five years you or any person insured or proposing for Business Interruption insurance has suffered any loss or made any claim (whether insured or not) which would have fallen within the scope of the proposed insurance irrespective of whether or not such loss or claim relates to the property proposed for insurance.*

YES  NO

If YES please provide full details

**PART J – FIDELITY (Optional)**

ONLY COMPLETE IF YOU REQUIRE FIDELITY COVER

**59. How many of your employees handle money etc?**

*You should include all employees (including working directors) who have responsibility for handling money, stock, accounts or computer systems.*

**60. Can you confirm that you do not engage in any of the following activities:-**

- o trading securities, commodities, currencies and the like
- o make loans or extended credit
- o transport or store valuables for others
- o engage in leasing

YES  NO

If NO please provide full details:

**61. Does**

- o the amount above which all cheques and other bank instruments require two hand-written signatures exceed £25,000
- o the maximum value of stock at any one location exceed £250,000
- o the annual amount of funds transfer instructions given to banks or other financial institutions exceed £1,000,000

YES  NO

If YES please provide full details:

## 62. Can you confirm that

- you do not use pre-signed cheques
- physical stock and inventory checks are carried out at least annually by persons other than those responsible for such stock
- you operate and maintain a system of controlled access to computer systems which utilize individual user IDs and passwords the latter being changed at least every 60 days.
- you obtain written references for all persons applying for employment where they will have responsibility for money, stock or computer operations\*
- professional external auditors audit your accounts at least once a year and all recommendations are acted upon?

*\*References to be obtained from all former employers within the previous three years for all persons applying for employment (including contract staff and volunteers) where they have responsibility for money, stock or computer operations.*

YES  NO

If NO please provide full details:

## 63. Have there been any Fidelity claims within the last 5 years?

*You should answer 'YES' to this question if within the last five years you or any person insured or proposing for Fidelity insurance has suffered any loss or made any claim (whether insured or not) which would have fallen within the scope of the proposed insurance irrespective of whether or not such loss or claim relates to the property proposed for insurance.*

YES  NO

If YES please provide full details:

## PART K – Cyber and data risks (Optional)

### 64. Standard cover is subject to 'UK Jurisdiction' and 'UK Geographical Limits' does this meet your requirements?

*NB. 'Jurisdiction' refers to where claims made against you can be brought e.g. UK courts 'Geographical Limits' refers to from where you conduct your business e.g. from within the UK. (any temporary business visits abroad by directors/employees are included within 'UK Geographical Limits')*

YES  NO

If NO please answer the following questions

What jurisdiction is required?

- EU
- World-wide (excluding USA)
- World-wide

What geographical limit is required?

- EU
- World-wide (excluding USA)
- World-wide

**65. Does the Proposer undertake any activities or have any involvement in the following areas:**

- Financial Services, Insurance, the provision of credit or loans?
- Data storage, data processing, data security?
- Operating Dating, Gambling or gaming websites?
- Telemarketing or Call Centres?
- IT Security systems or testing?
- Hosting cloud or data centre facilities?

YES       NO

If YES please provide full details:

**66. Does the Proposer collect, store or process:**

- More than 10,000 data records per annum?
- Any patient or healthcare records?
- Payment card data or other personal financial information records (other than for their own employees)?
- US personal data?

YES       NO

If YES please provide full details:

**67. Does the Proposer undertake the following on ALL computers**

- Use and update anti-virus, anti-spyware and firewall protections at least monthly?
- Regularly perform software updates as they are released by vendors?
- Have processes in place to ensure all confidential data is encrypted when stored or in transmission?
- Controls to restrict unauthorised access to sensitive data?
- Undertake a backup of data at least monthly?

YES       NO

If NO please provide full details:

## 68. EMPLOYEES

- Are all Employees automatically prompted to change their passwords at least every 90 days?
- Are procedures in place to immediately disable the log in of employees or self-employed contractors upon termination of their employment or hire?

YES  NO

If NO please provide full details:

## 69. Does the proposer:

Operate any websites that include E-commerce? YES  NO

If YES please provide full details including the following

- The amount of sales generated for the past 12 months and expected in the forthcoming 12 months
- How they process payments for on-line sales, including whether or not they host payment processing software or pass to a third party site (and if the later, whether or not they temporarily capture payment details before transferring to the third party site)
- Are they compliant with PCI DSS
- Their registration level with PCI
- Back up procedures for website downtime

Publish any third party content on their website? YES  NO

If YES please provide full details including the number of unique monthly visitors to the website and the procedures in place for securing rights for using content

Allow third parties to post comments or content directly on their website? YES  NO

If YES please provide full details including

- the number of unique monthly visitors to their website
- what procedures are in place for users to flag inappropriate content and the Proposer's immediate removal of such content



**70. Have there been any Cyber or Data Risks claims within the last 5 years?**

You should answer 'YES' to this question if within the last five years you or any person insured or proposing for Cyber or Data Risks insurance has suffered any loss, investigation, claim (whether insured or not) which would have fallen within the scope of the proposed insurance irrespective of whether successful or otherwise

YES  NO

If YES please provide full details:

## PART L - DECLARATION (Mandatory)

### 71.

- (i) Has any director, manager, partner or trustee of your's or any person insured or proposing for insurance
- (a) been convicted, or charged but not yet tried, of any criminal offence other than a motoring offence
  - (b) been declared bankrupt, gone into insolvent liquidation, or been the subject of receivership or an administration order
- (ii) Have you ever had an application for this type of insurance declined by an insurer, had a renewal of such insurance declined, or had similar insurance cancelled or made subject to special conditions
- (iii) Is anyone proposing for insurance aware, after enquiry, of any circumstance or incident which they have reason to suppose might afford grounds for any future claim such as would fall within the scope of the proposed insurance which has not already been advised to us
- YES       NO
- If YES please provide full details

### Important information concerning your personal information

*Please carefully read the following before you sign and date the declaration.*

Your insurance cover includes cover for individuals who are either insureds or beneficiaries under the policy (individual insureds). We collect and use relevant information about individual insureds to provide you with your insurance cover and to meet our legal obligations.

This information includes individual insureds' details such as their name and address [and may include more sensitive details such as information about their health and criminal convictions].

We will process individual insureds' details, as well as any other personal information you provide to us in respect of your insurance cover, in accordance with our full Market privacy notice, a copy of which is available online at <http://www.markelinternational.com/foot/privacy-policy/> or on request.

#### Information notices

To enable us to use individual insureds' details in accordance with current data protection laws, we need you to provide those individuals with certain information about how we will use their details in connection with your insurance cover.

You agree to provide to each individual insured this short form information notice on or before the date that the individual becomes an individual insured under your insurance cover or, if earlier, the date that you first provide information about the individual to us.

#### Minimisation and notification

We are committed to using only the personal information we need to provide you with your insurance cover. To help us achieve this, you should only provide to us information about individual insureds that we ask for from time to time.

You must promptly notify us if an individual insured contacts you about how we use their personal details in relation to your insurance cover so that we can deal with their queries.

### Important information concerning your duty to make a fair presentation of risk

*Please carefully read the following before you sign and date the declaration.*

Before the insurance policy takes effect you have a duty to make a fair presentation of the risks to be insured.

A *fair presentation of the risk* is one

- which discloses to us every material circumstance which you know of or ought to know of, or
- gives us sufficient information to put us on notice that we will need to make further enquiries for the purpose of revealing those material circumstances, and

- which makes that disclosure in a manner which is reasonably clear and accessible to us, and
- in which every material representation as to a matter of fact is substantially correct and every material representation as to a matter of expectation or belief is made in good faith.

A *material circumstance* is one that would influence our decision as to whether or not to agree to insure you and, if so, the terms of that insurance. If you are in any doubt as to whether a circumstance is material you should disclose it to us.

Failure to make a fair presentation of risk could prejudice, reduce or modify your rights under the policy.

**72. I declare that**

- I am authorised to complete this proposal on behalf of the Proposer
- every statement and particular within this proposal form
  - which is a statement of fact, is substantially correct, and
  - which is a matter of expectation or belief, is made in good faith
  -

If any such facts, expectations and/or beliefs materially change before the insurance policy takes effect I will undertake to provide details of all such changes to you in order to comply with my obligation to provide a fair presentation of the risk to be insured under the insurance policy.

\*Signed: \_\_\_\_\_ Name: \_\_\_\_\_

\*Capacity: \_\_\_\_\_ Date: \_\_\_\_\_

\*the signatory should be a director or senior officer of, or partner in, the Proposer.

## **EASY PAYMENT PLAN**

Markel (UK) Limited has negotiated a highly competitive 10 month premium finance plan with a premium finance company for the exclusive use of its Assured's.

To take advantage of these facilities please tick the box below enabling the finance company to dispatch a pre-prepared agreement directly to you for completion and return. Your Certificate of Insurance will be endorsed accordingly.

The level of charge, applied to the total premium (including IPT), will be confirmed on the agreement. Contact your broker or ourselves for a note of current charge.

I WISH TO TAKE ADVANTAGE OF THE 10 MONTH EASY PAYMENT PLAN (TICK AS APPROPRIATE)

## **NOTICE TO THE PROPOSER**

### **THE UNDERWRITERS**

Markel (UK) Limited underwrites business on behalf of Markel International Insurance Company Ltd.

## **THE LAW OF THE INSURANCE CONTRACT**

The parties to this proposed insurance are free to choose the law applicable to the insurance contract. Unless you specifically agree otherwise with Underwriters, your proposed contract will be governed by English Law.

### **Markel (UK) Limited**

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[www.markelinternational.com/uk](http://www.markelinternational.com/uk)

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Registered office: 20 Fenchurch Street, London, EC3M 3AZ Registered in England number 2430992

Markel (UK) Limited is an Appointed Representative of Markel International Insurance Company Limited who are authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority.