

Club Legal Helpline and Expenses insurance

As a Club you have a duty of care to all those participating in the sport and visitors. A club must do all it reasonably can to reduce or eliminate loss, damage or injury to others and it may be held legally liable to others if it fails to do so.

Club Legal Advice and Expenses provides the club Committee/Directors with access to Legal Helplines on matters of European Law to help you manage your legal responsibilities at the club.

The cover also extends to provide legal expenses for certain defence matters, including:

- Employment disputes and awards
- Legal defence
- Property protection
- Bodily injury
- Tax protection

It is essential that you obtain advice from DAS before you act to ensure that you do not prejudice your defence. If DAS have not been contacted prior to your action, they are unlikely to support the claim.

Reasonable prospects

- (a) For civil cases (other than insured incidents **Employment disputes and compensation awards 1-5** and **Legal defence**) the prospects that the **insured person** will recover losses or damages or a reduction in tax or National Insurance liabilities (or obtain any other legal remedy that **we** have agreed to, including an enforcement of judgment) or make a successful defence, must be at least 51%. A **preferred law firm** or **tax consultancy** on **our** behalf, will assess whether there are **reasonable prospects**.
- (b) For criminal cases there is no requirement for there to be prospects of a successful outcome.
- (c) For all civil and criminal appeals the prospects of a successful outcome must be at least 51%.

Main exceptions

1. Fine or other penalties, debt recovery, contract disputes or **any Club with excess of £50,000 wage roll (unless notified to and accepted by the insurer)**. Only if you exceed the £50,000- please e-mail Howden at SwimEngland@howdengroup.com with Club name and total wage roll.
2. Incidents not referred to DAS before action. It is important to involve DAS as soon as you are aware a dispute may occur.

Principal exclusions

<ul style="list-style-type: none">• Court Awards and fines (other than compensation awarded under Employment disputes and compensation awards and Legal Defence sections of cover).	<ul style="list-style-type: none">• Late claims – claims reported more than 180 after the date an insured person should have known about the insured incident.
<ul style="list-style-type: none">• Intellectual property rights	<ul style="list-style-type: none">• Nuclear, war and terrorism risks
<ul style="list-style-type: none">• Deliberately intending to cause a claim under this policy	<ul style="list-style-type: none">• Bankruptcy
<ul style="list-style-type: none">• Franchise or agency agreements	<ul style="list-style-type: none">• Defamation
<ul style="list-style-type: none">• Disputes with DAS and/or Dispute with Master Policyholder.	<ul style="list-style-type: none">• Judicial review, coroner's inquest or fatal accident inquiry
<ul style="list-style-type: none">• Shareholder or partnership disputes	<ul style="list-style-type: none">• Litigant in person
<ul style="list-style-type: none">• Legal Defence – an act of or an alleged act of abuse or sexual misconduct, including offences relating to obscene material	<ul style="list-style-type: none">• Investigations and Disciplinary Hearings representation (e.g. by any business association, professional or regulatory body)

Policy Limits can be found on the summary of cover released by Swim England to the clubs annually.

Legal helpline

Club Committee can contact DAS via the following:

For legal assistance European law, or to discuss claims on the above matters:

Club Legal Helpline: 0330 100 7901

For assistance and support in dealing with medical and health issues:

Counselling Advice Line: 0344 893 9012

You will need to quote your Policy Number, which can be found on the Swim England Summary of Cover provided annually at renewal.

DAS will need to verify your club affiliation with Swim England before commencing any claim.

This document is intended to be a summary of cover. Copies of the full policy wordings including terms, conditions and exclusions are available to Swim England Club Committee on request.