



Markel Social Welfare policy wording includes abuse cover.

Markel is sending this message to respond to queries following increased awareness of potential claims under our Social Welfare policies.

Markel recognises that the vast majority of care providers regularly review their practices and procedures through both internal and external audit.

As a Markel policyholder, you are entitled to free advice and support in relation to safeguarding issues and all aspects of health and social care. The following information will help you when assessing your business.

Abuse is a risk that the majority of care businesses professionally assess and minimise. For many years, established care procedures, rigorous training, accurate record keeping and live audits have ensured that incidents against service users are minimised.

However recent television coverage has identified possible abuse in one care home and the impact of this media attention may result in:

- Heightened awareness by relatives concerned for their loved ones in care
- Heightened awareness by regulators
- Heightened awareness by local authorities
- Heightened awareness by care workers of their peer group
- Heightened awareness by neighbouring businesses and residents near providers of adult and child care services

The consequences are likely to be an increased number of requests for reassurance by relatives, increased vigilance by regulators and certainly increased respect for every incidence of whistle-blowing or allegation of abuse. Local authorities may well insist on additional evidence of risk assessments to ensure their placements/referrals are suitably protected.

The number of reported abuse cases is likely to increase. Some care providers may find themselves the subject of media attention. There are some insurance products that exclude or limit cover for abuse or allegations of abuse. Other insurance products are provided on a 'claims made' basis to restrict the total liability exposure to the insurer.

A 'claims made' policy provides cover for claims made against you and reported to the insurer during the policy period only. Claims notified after the expiry of this period – for example if the policy has not been renewed or if you have moved to another insurer – will not be covered, these would have to be dealt with by your new insurer or, if you have not arranged further insurance, by yourself.

A 'claims occurring' basis covers incidents that occur during the policy period, regardless of when the claim is reported.

As cases of abuse are often only reported many years after the alleged incident took place, the claims occurring basis provides the broader insurance protection.

The vast majority of Markel social welfare policyholders have the wider 'claims occurring' policy wording.*

Raising awareness in the media is likely to give comfort to users, who feel they have been abused, to come forward and notify their grievances. Care workers who have left establishments may now submit allegations



of abuse for the period they were working for care providers. So as well as current staff, service users and their families potentially making allegations, any person previously involved with the organisation may now bring forward allegations.

Markel Insurance has a long experience of handling all such incidents sensitively, mindful of the trading impact on service providers.

In addition to our underwriting and claims expertise, Markel can support policyholders with free access to one day's specialist care and health consultancy service. This can provide you with an up to date independent audit of your risk assessments, whistle-blowing procedures, staff training and awareness as well as individual care planning to ensure appropriate care is provided.

In the rare incidents when an allegation is made and attracts media attention, you may find journalists demanding statements. Markel provides access to professional public relations consultants to manage media attention and help you present yourself confidently and professionally.

You can access further information relating to Markel Assist on our website:
www.markeluk.com/broker/markel-assist.aspx

Alternatively, please speak to your insurance broker who can liaise with Markel on your behalf.

*A minority of policies are on a claims made basis where Markel followed the wording of a previous insurer, or insurers, where the client's insurance had been on this basis for a long period of time.