



## Notifications

How to get  
them right

The Do's and Don'ts  
Top Ten Tips



## The Do's Top Ten Tips

### Do...

- ✓ Develop an internal procedure to ensure compliance with the prescribed notification conditions and timelines contained in your policy/policies;
- ✓ Regularly remind all your employees of their obligation to comply with your notification procedure;
- ✓ Where necessary, nominate individual/s (e.g. the compliance manager and/or general counsel) who, after reasonable enquiry, must be made aware of all claims and/or circumstances;
- ✓ Nominate an internal 'insurance manager' who will, via your broker, be responsible for the internal collation and submission of all information on claims and circumstances to and from your insurers;
- ✓ Provide your insurance manager with all the information required to comply with all your notification conditions as soon as possible and within the prescribed time restrictions;
- ✓ Work in partnership with your insurers from the outset and keep them closely advised of all developments as and when required by your insurance manager and/or insurers;
- ✓ Provide both your insurance manager and your insurers with your on-going and full co-operation;
- ✓ Retain all correspondence or other documents relating to a claim or circumstance;
- ✓ Where you have more than one policy (e.g. professional indemnity and crime) consider whether your claim or circumstance should be notified to one or more of those policies – remember to seek guidance from your broker;
- ✓ Pay your excess contributions promptly and, where necessary, monitor the erosion of your excess



## Don't...

- ⊗ Destroy any correspondence or other documents relating to a claim or circumstance;
- ⊗ Take any action which might prejudice your and/or your insurers' position and ability to defend the claim or circumstance;

### **Without insurers prior written consent:**

- ⊗ Admit liability;
- ⊗ Make any settlement offer or attempt to resolve the problem yourself;
- ⊗ Reply to any correspondence from a Claimant, their legal or other representatives;
- ⊗ Reply to any correspondence from your client, their legal representative, or any other third party, if such correspondence suggests that a claim [N.B. Aon to select the correct notification threshold contained in the client's policy i.e. 'may' or 'is likely to'] be pursued against you;
- ⊗ Appoint any legal or other third-party experts;
- ⊗ Incur any legal or other costs and/or expenses;
- ⊗ Inform the Claimant or potential Claimant that the claim or circumstance has been reported to your insurers;
- ⊗ Disclose details of your professional indemnity policy to the Claimant, their representative and/or any other third party

## The Don'ts Top Ten Tips