



# Professional Indemnity for Design and Construct

This document provides a guide to the cover provided under the Glemham **Professional Indemnity Insurance for Design and Construct Professionals**. It does not contain the full terms and conditions of your policy. For those details please refer to the policy wording or summary of cover that accompanied your Confirmation of Quotation or Certificate Schedule and contact your insurance advisor if you need to discuss your cover further.

## What is Professional Indemnity Insurance?

Professional Indemnity insurance covers you in respect of compensation that you may have to pay to your clients arising out of problems associated with the work you have carried out for them.

The insurance is designed to cover the cost of defending you against any allegations of wrongdoing as well as covering damages that may be awarded against you. It may also cover the cost of correcting mistakes in order to avoid a more costly legal action.

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### Summary of Cover

- Negligent act error or omission
- Unintentional intellectual property rights infringement (other than patents)
- Unintentional breach of confidentiality
- Unintentional defamation
- Loss of third party documents or data
- Negligence of sub-contractors
- Collateral warranties (limited to 2 assignments)
- Adjudications under the Housing Grants Construction & Regeneration Act
- Irrecoverable fees
- Rectification and loss mitigation costs
- Bodily injury or property damage arising from breach of professional duty
- Defence costs
- Court attendance costs
- Breach of health & safety legislation

### Limit of Indemnity

- The Limit of Indemnity will be specified in the Confirmation of Quotation and Certificate Schedule and will apply in respect of all claims arising made during the period of insurance inclusive of defence costs
- Limit reduced to GBP100,000 per period of insurance for Loss of third party documents or data and breach of health & safety legislation
- Limit for court attendance costs reduced to GBP250 per person per day with a maximum of GBP10,000 per period of insurance

### Excess

Your Confirmation of Quotation and Certificate Schedule will detail the specific excess(es) applicable. The Excess does not apply when costs only are paid.

### Main Exclusions

#### Claims for or arising from

- Bodily injury other than where arising from a breach of professional duty
- Property damage other than where arising from a breach of professional duty
- Work prior to the Retroactive Date (as specified in the Confirmation of Quotation and Certificate Schedule)
- Contractual liability in excess of common law or statutory liability (other than in respect of collateral warranties)
- Restricted rights of recovery
- Fraud and dishonesty
- Work undertaken by sub-contractors unless certain specified requirements are met
- Related entities or parties with a controlling interest in the Certificate holder
- Fines, penalties and liquidated damages
- Joint ventures unless agreed and included in the description of the Certificate holder
- Pollution
- Patent infringement
- Legal action from outside the jurisdiction specified in the Confirmation of Quotation and Certificate Schedule or first made in the USA or Canada or their dependent territories
- Insolvency and trading losses of the Certificate holder
- Directors' & Officers' Liability claims
- The employment of any person including their bodily injury
- Animals, property and transport
- Unethical conduct
- Adjudications by non-independent persons or on terms more onerous than specified in the Housing Grants Construction & Regeneration Act
- Defective workmanship & materials
- Costs estimates
- Arrangement of finance & insurance