

# Berkshire Hathaway European Insurance DAC (UK branch)

## Product Information Exchange *September 2024*

### PRODUCT NAME

Professional First – Design & Construct Liability Insurance Policy

### *Key value elements, notable exclusions, and optional covers*

#### **What are the key value elements of the product that meet the needs, characteristics, and objectives of the target market?**

The product protects the policyholder against a claim as a result of a negligent act, omission or error committed by the policyholder during the provision of professional services.

The product provides the following key coverages:

- damages
- judgements
- defence costs
- settlement (with prior consent from us)
- civil fines or civil penalties

#### **Are there any notable exclusions or circumstances where the product will not provide cover?**

Exclusions include:

- anti-competitive conduct
- asbestos or silica
- illegal conduct
- cyber
- errors in any financial estimate of the cost of construction
- directors' and officers' and trustee liability
- employer's liability
- financial advice
- insolvency
- nuclear
- pollution
- product liability
- power failure / act of God / war
- trade debts
- valuation reports
- war/terrorism

#### **Does the product include optional covers, extensions of cover or add-ons?**

Coverage extensions include:

- adjudication and arbitration
- court attendance costs
- defamation
- legal representation expenses
- loss of documents
- mitigation costs
- statutory costs and expenses
- vicarious liability

Some of these extensions can be excluded and if included they are subject to a sub-limit of liability. Please see the policy wording for full details on extensions and exclusions.

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The product does not include any add-ons.

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### **Target market**

#### **Who is the product designed for?**

This is a commercial insurance product which is targeted at UK-domiciled private and public incorporated companies, from small to large entities, that offer a combination of design and construction services.

We may offer the product to design and construct companies with under £1m turnover, however it will be offered on an exception basis.

#### **Who is the product not appropriate for?**

This product is not suitable for consumers, which is defined by the FCA as any natural person who is acting for purposes which are outside of their business, trade or profession. It is not suitable for unincorporated businesses and companies that do not offer design and construction services.

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### **Distribution**

#### **How can this product be sold?**

This product should be sold via a professional insurance intermediary who can assess the customer's demands and needs and provide guidance as to the appropriate level of cover. This product can be sold face to face, via telephone or electronic communication or a mix of these methods.

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### **Product Oversight and Governance**

Our Product Oversight and Governance framework places customer centricity at the heart of our business. When we set our processes and standards, the main objective is to ensure the delivery of good customer outcomes. We managed our products throughout their lifecycle and ensure that products are designed and distributed in a way that it will support our customer's financial objectives and it will prevent foreseeable harm for our customers. Our framework maintains oversight of the following:

- The product design process
- Identification of a clearly defined target market
- Product scenario testing
- Distribution strategy
- Product documentation
- On-going monitoring and review
- Fair value of our products
- Service provided to our customers

All new products and material product changes are subject to our product governance framework, and they will go through the applicable assessment process before they are marketed or distributed to customers.

As part of our on-going review, we assess our products against several factors and metrics to monitor how we deliver good customer outcomes. When we fail to deliver, we will act immediately to remediate the situation.

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### **How is value assessed?**

In line with FCA guidance, Berkshire Hathaway European Insurance DAC (UK branch) assesses product value by comparing the overall cost of the product with the quality of the services provided. When assessing the quality of the services provided, we consider the FCA's value measures metrics as well as information relating to the distribution cost of the product, and to consider what percentage they are of the overall price paid. We have defined internal benchmarks for assessing the balance of these factors and where a product falls short of our standards, we will take action to ensure fair value is always provided to customers.

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The value of the product will be assessed on an annual basis (or more frequently if necessary) to ensure it continues to provide value to customers.

This product has been assessed as providing fair value.

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***Additional Product Literature***

This document should be read in conjunction with the relevant policy documentation for full details of the insurance cover and exclusions.

This document has been designed for insurance professionals and are NOT intended for customer distribution.