Developments in Management Liability.

Presented by Alan Hornby ACII

Today’s Objectives

- Describe the ever increasing legal and regulatory framework faced by businesses
- Discuss developments of the insurance cover available under management liability policies
- Give examples of legal/regulatory claims and investigations being made against businesses
- Explain how digital technology is developing to manage, advise and deliver business solutions to reduce legal risk

ESTABLISHED IN
2012

4 KEY OFFICES ACROSS THE UK

OVER £8M TURNOVER

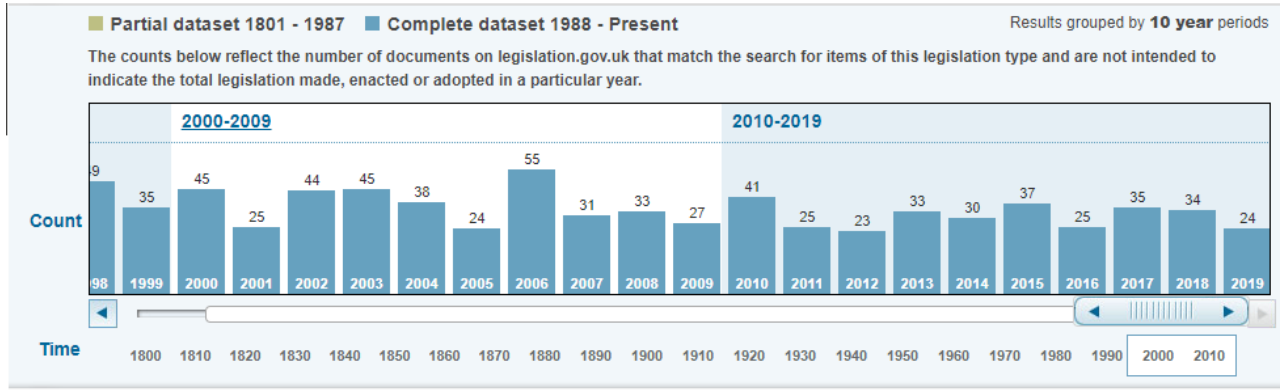
OVER 125 STAFF

Who We Are

rradar is a specialist litigation and commercial law firm that uses legal expertise and digital tools to proactively manage, advise and deliver business solutions to reduce legal risk.

The Legal & Regulatory Framework

Legislation



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Legislation by Type

UK Public General Acts (4334)

Legislation by Year

2019 (24)	2018 (34)
2017 (35)	2016 (25)
2015 (37)	2014 (30)
2013 (33)	2012 (23)
2011 (25)	2010 (41)
2009 (27)	2008 (33)
2007 (31)	2006 (55)
2005 (24)	2004 (38)
2003 (45)	2002 (44)
2001 (25)	2000 (45)
1999 (35)	1998 (49)
1997 (69)	1996 (63)

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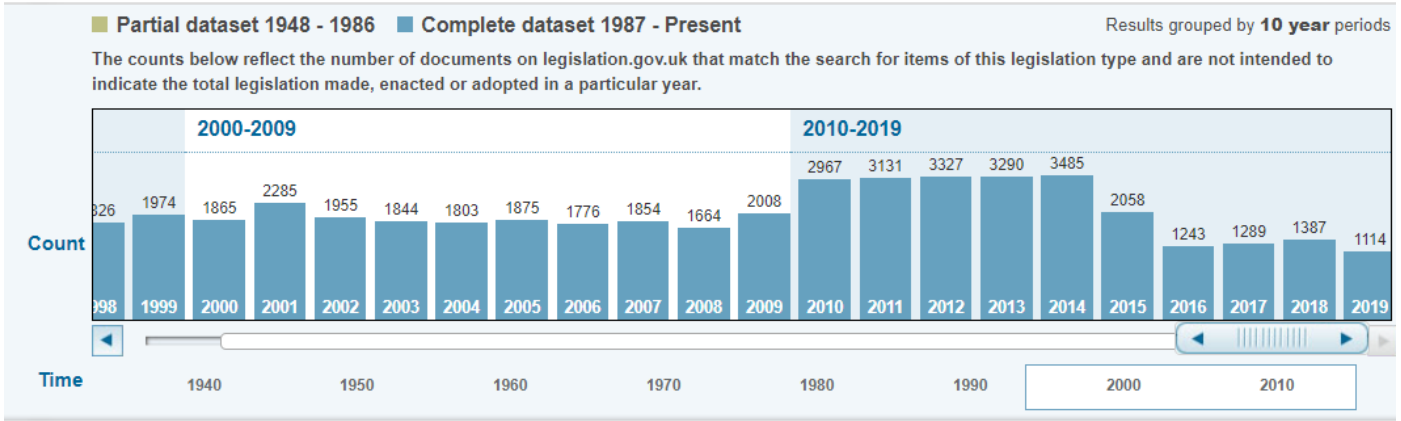
Title	Years and Numbers	Legislation type
Wild Animals in Circuses Act 2019	2019 c. 24	UK Public General Acts
National Insurance Contributions (Termination Awards and Sporting Testimonials) Act 2019	2019 c. 23	UK Public General Acts
Northern Ireland (Executive Formation etc) Act 2019	2019 c. 22	UK Public General Acts
Supply and Appropriation (Main Estimates) Act 2019	2019 c. 21	UK Public General Acts
Holocaust (Return of Cultural Objects) (Amendment) Act 2019	2019 c. 20	UK Public General Acts
Non-Domestic Rating (Preparation for Digital Services) Act 2019	2019 c. 19	UK Public General Acts
Mental Capacity (Amendment) Act 2019	2019 c. 18	UK Public General Acts
Offensive Weapons Act 2019	2019 c. 17	UK Public General Acts
European Union (Withdrawal) Act 2019	2019 c. 16	UK Public General Acts
Animal Welfare (Service Animals) Act 2019	2019 c. 15	UK Public General Acts

Statutory Instruments



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Legislation by Type

- UK Statutory Instruments (79993)
- Wales Statutory Instruments (4869)
- Northern Ireland Orders in Council (624)

Legislation by Year

2019 (1114)	2018 (1387)
2017 (1289)	2016 (1243)
2015 (2058)	2014 (3485)
2013 (3290)	2012 (3327)
2011 (3131)	2010 (2967)
2009 (2008)	2008 (1664)
2007 (1854)	2006 (1776)
2005 (1875)	2004 (1803)
2003 (1844)	2002 (1955)
2001 (2285)	2000 (1865)
1999 (1974)	1998 (1826)
1997 (1840)	1996 (2073)

<< < Page 1 of 3 > >>

Title	Years and Numbers	Legislation type
The Air Navigation (Restriction of Flying) (Harrogate) Regulations 2019	2019 No. 1178	UK Statutory Instruments
The A470 Trunk Road (Llanrwst, Conwy County Borough) (Temporary One Way Traffic) Order 2019	2019 No. 1177 (W. 208)	Wales Statutory Instruments
Gorchymyn Cefnffordd yr A470 (Llanrwst, Bwrdeistref Sirol Conwy) (Traffig Unffordd Dros Dro) 2019		
The A487 Trunk Road (Pentood, south of Cardigan, Ceredigion) (Temporary 30 mph Speed Limit & No Overtaking) Order 2019	2019 No. 1176 (W. 207)	Wales Statutory Instruments
Gorchymyn Cefnffordd yr A487 (Pentood, man i'r de o Aberteifi, Ceredigion) (Terfyn Cyflymder 30 mya Dros Dro a Dim Goddiweddyd) 2019		
The A55 Trunk Road (Westbound Entry and Exit Slip Roads at Junction 9, Gwynedd) and the A487 Trunk Road (Link Road between Parc Menai Roundabout and Treborth Road Roundabout, Gwynedd) (Temporary Prohibition of Vehicles, Cyclists & Pedestrians) Order 2019	2019 No. 1175 (W. 206)	Wales Statutory Instruments
Gorchymyn Cefnffordd yr A55 (Ffyrdd Ymuno ac Ymadael tua'r Gorllewin wrth Gyffordd 9, Gwynedd) a Chefnffordd yr A487 (Ffordd Gyswllt rhwng Cylchfan Parc Menai a Chylchfan Ffordd Treborth, Gwynedd) (Gwahardd Cerbydau, Beicwyr a Cherddwyr Dros Dro) 2019		
The A40 Trunk Road (Various Streets, Llandovery, Carmarthenshire) (Prohibition of Waiting, Loading and Unloading) Order 2019	2019 No. 1174 (W. 205)	Wales Statutory Instruments
Gorchymyn Cefnffordd yr A40 (Amryw o Strydoedd, Llanymddyfri, Sir Gaerfyrddin) (Gwahardd Aros, Llwytho a Dadlwytho) 2019		

STATUTORY INSTRUMENTS

2019 No. 1178

CIVIL AVIATION

The Air Navigation (Restriction of Flying) (Harrogate) Regulations 2019

Made - - - -	*31st July 2019*
Coming into force - -	*21st September 2019*

The Secretary of State has decided that it is necessary in the public interest to restrict flying in the vicinity of Harrogate, Yorkshire, by reason of the intended gathering of a large number of persons there for the UCI World Road Cycle Championships.

The Secretary of State makes the following Regulations in exercise of the powers conferred by article 239 of the Air Navigation Order 2016(**a**).

Citation and commencement

1. These Regulations may be cited as the Air Navigation (Restriction of Flying) (Harrogate) Regulations 2019 and come into force on 21st September 2019.

Interpretation

2. In regulation 3(2) the times referred to are Co-ordinated Universal Time(**b**).

Restricted airspace

3.—(1) Subject to paragraph (3), and during the periods specified in paragraph (2), no aircraft is to fly below 3,500 feet above mean sea level within the area bounded by a circle having a radius of 2 nautical miles whose centre is at 535925N 0013135W.

(2) The periods referred to in paragraph (1) are—

(a) between 0700 hours and 2200 hours on 21st September 2019,

(b) between 0700 hours and 1900 hours on each of the 5 days starting on 22nd and ending on 26th September 2019, and

(c) between 0700 hours and 2200 hours on each of the 3 days starting on 27th and ending on 29th September 2019.

(3) Paragraph (1) does not apply to any aircraft—

(a) operated by or on behalf of—

(i) the National Police Air Service,

(ii) the North Yorkshire Police,

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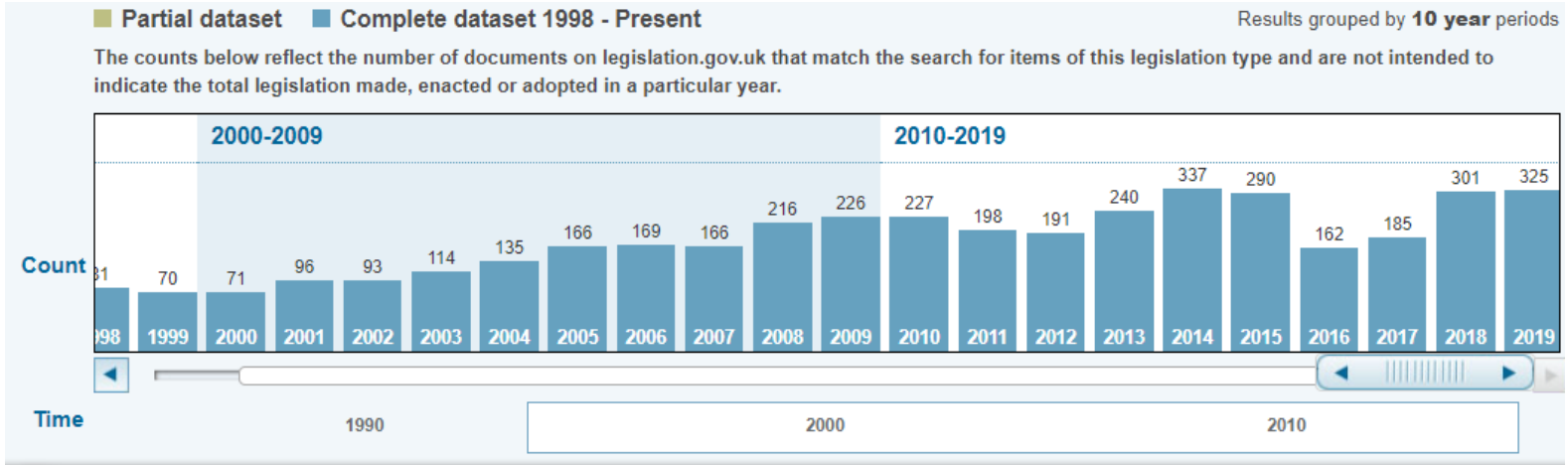

Legislation by Type

UK Draft Statutory Instruments (4059)

Legislation by Year

2019 (325)	2018 (301)
2017 (185)	2016 (162)
2015 (290)	2014 (337)
2013 (240)	2012 (191)
2011 (198)	2010 (227)
2009 (226)	2008 (216)
2007 (166)	2006 (169)
2005 (166)	2004 (135)
2003 (114)	2002 (93)
2001 (96)	2000 (71)
1999 (70)	1998 (81)

Legislation by Subject Heading

Title	Year	Legislation type
The Environment and Wildlife (Legislative Functions) (EU Exit) (Amendment) Regulations 2019	2019	UK Draft Statutory Instruments
The Over the Counter Derivatives, Central Counterparties and Trade Repositories (Amendment, etc., and Transitional Provision) (EU Exit) (No. 2) Regulations 2019	2019	UK Draft Statutory Instruments
The Human Medicines and Medical Devices (Amendment etc.) (EU Exit) Regulations 2019	2019	UK Draft Statutory Instruments
The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019	2019	UK Draft Statutory Instruments
The Agriculture (Miscellaneous Amendments) (EU Exit) Regulations 2019	2019	UK Draft Statutory Instruments

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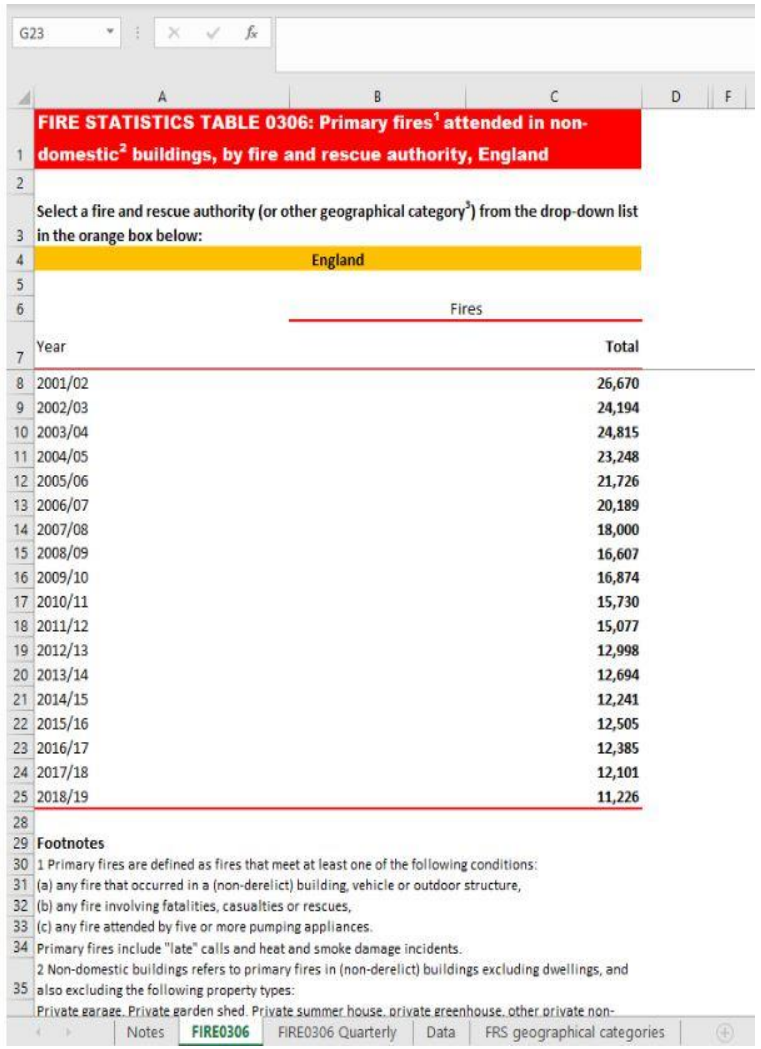
Fire Statistics



FIRE STATISTICS TABLE 0306: Primary fires[1] attended in non-domestic[2] buildings, by fire and rescue authority, England

Select a fire and rescue authority (or other geographical category[3]) from the drop-down list in the orange box below:

England

Year	Fires: Total
2001/02	26,670
2002/03	24,194
2003/04	24,815
2004/05	23,248
2005/06	21,726
2006/07	20,189
2007/08	18,000
2008/09	16,607
2009/10	16,874
2010/11	15,730
2011/12	15,077
2012/13	12,998
2013/14	12,694
2014/15	12,241
2015/16	12,505
2016/17	12,385
2017/18	12,101
2018/19	11,226

Footnotes

1 Primary fires are defined as fires that meet at least one of the following conditions:
(a) any fire that occurred in a (non-derelict) building, vehicle or outdoor structure,
(b) any fire involving fatalities, casualties or rescues,
(c) any fire attended by five or more pumping appliances.
Primary fires include "late" calls and heat and smoke damage incidents.

2 Non-domestic buildings refers to primary fires in (non-derelict) buildings excluding dwellings, and also excluding the following property types:
Private garage, Private garden shed, Private summer house, private greenhouse, other private non-

Notes | FIRE0306 | FIRE0306 Quarterly | Data | FRS geographical categories

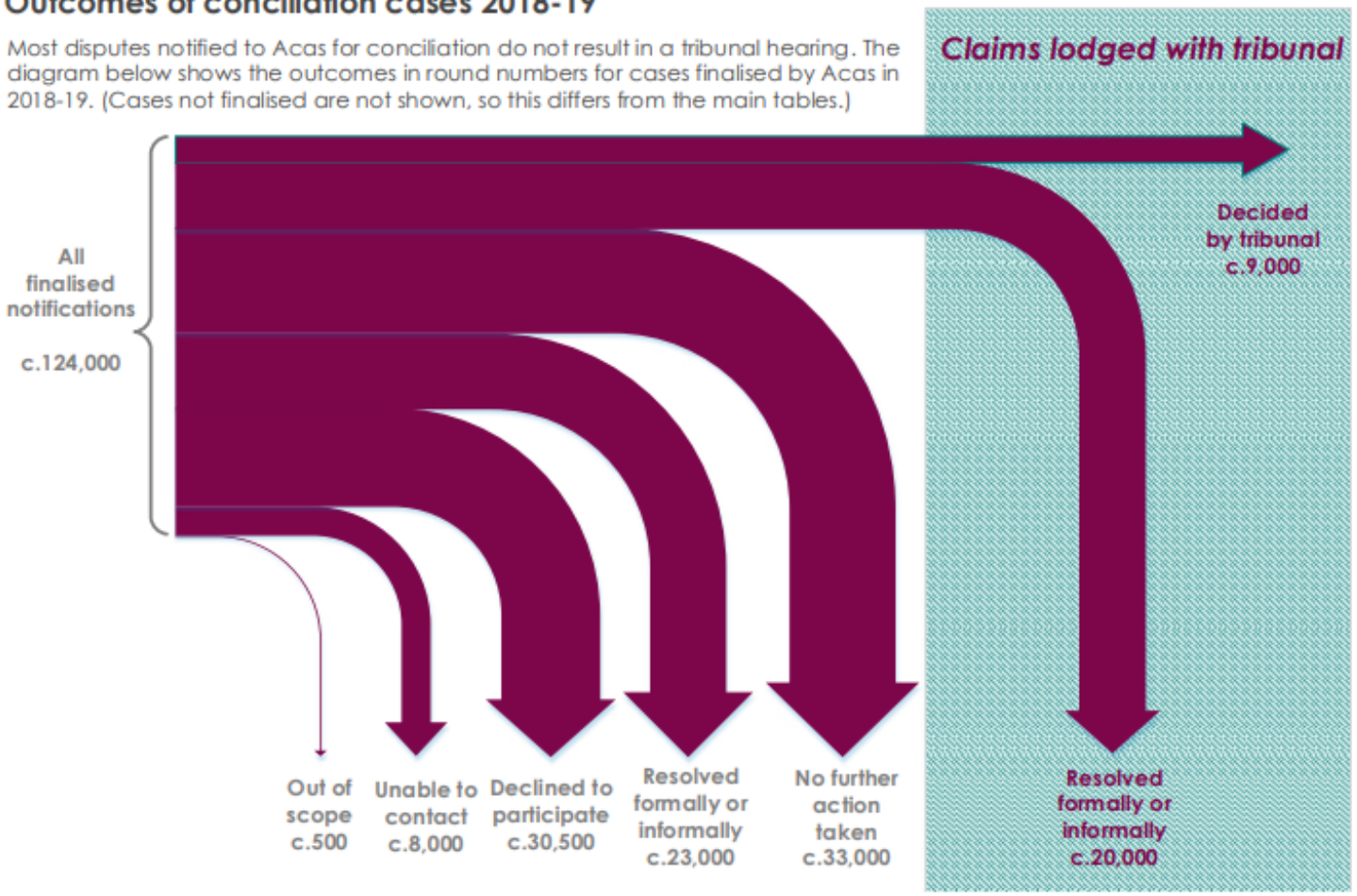
Agenda for Environment Agency board meeting – 2nd Feb. 2016

Storms Desmond, Eva and Frank brought severe and damaging weather throughout December and left 15,000 homes and 4,600 businesses flooded in the north of England...

Employment

Outcomes of conciliation cases 2018-19

Most disputes notified to Acas for conciliation do not result in a tribunal hearing. The diagram below shows the outcomes in round numbers for cases finalised by Acas in 2018-19. (Cases not finalised are not shown, so this differs from the main tables.)

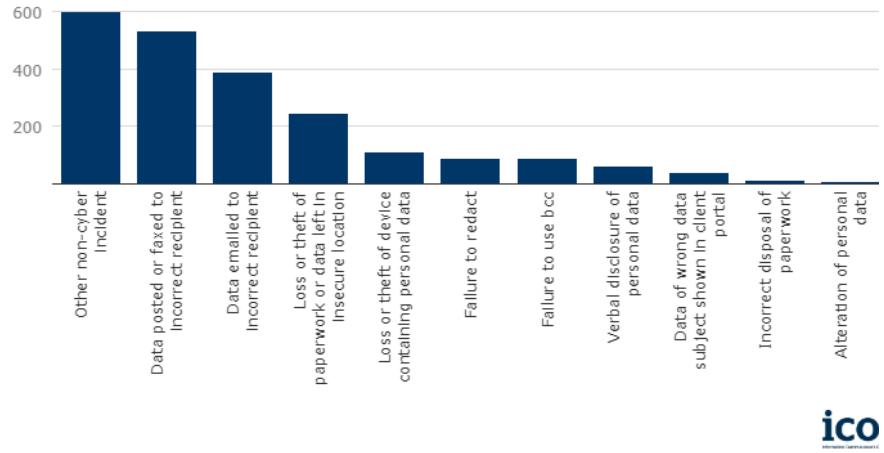


Data Breach

Non-cyber personal data breach reports received, Q4 2018-19

There were 2,577 non-cyber personal data breach reports in this period, including 384 where th cause was "not provided", which are not displayed in this chart.

Grand Total



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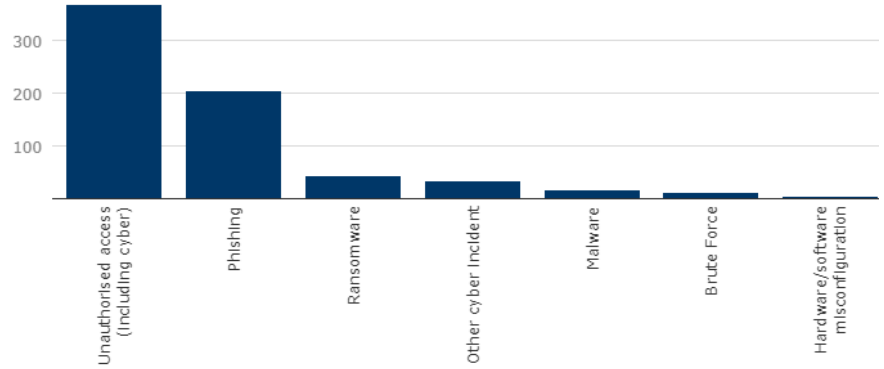
Cyber personal data breach reports received, Q4 2018-19

There were 686 cyber personal data breach reports in this period.

Grand Total



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Statistical data set

Vehicle enforcement checks at roadside and operators' premises

Updated 11 July 2019

Download CSV 9.48KB

Financial Year	GB/Non GB	Vehicle Group	Mechanical Checks	Prohibitions Issued	Prohibition Rate	Drivers Hours Checks	Drvers Hours Prohibitions Issued	Prohibition Rate	Offence Prohibition
2018 to 2019	Great Britain	Heavy goods vehicle	23,299	5,872	25.2%	23,152	861	3.7%	564
2018 to 2019	Great Britain	Light goods vehicle	12,159	6,038	49.7%	4,682	99	2.1%	352
2018 to 2019	Great Britain	Non Testable	2,831	1,427	50.4%	2,094	2	0.1%	0
2018 to 2019	Great Britain	Public service vehicle	7,201	1,247	17.3%	3,650	127	3.5%	86
2018 to 2019	Great Britain	Trailer	9,826	2,750	28.0%	0	0		0
2018 to 2019	Great Britain	Subtotal	55,316	17,334	31.3%	33,578	1,089	3.2%	1,002
2018 to 2019	Non-Great Britain	Heavy goods vehicle	31,636	7,171	22.7%	44,296	1,450	3.3%	1,318

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Operator licensing in numbers

12,945
operator licence applications and variations processed

1400
public inquiries
352
preliminary hearings
70
Senior Team Leader (STL) interviews

12,483
local bus registrations processed

21,222
driver conduct cases closed

UK Regulators

How many do you know ?

UK Regulators : Key Facts

- Number of regulators operating in UK – 90
- Annual expenditure of regulators operating in UK - - £4 billion
- Number of European regulators affecting UK - 34
- Estimated regulatory costs to business - £100 billion

Source – National Audit Office – A short guide to regulation (Sept. 2017)

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Management Liability Insurance

- Directors & Officers Liability
- Company Legal Liability
- Employment Practices Liability

Management Liability Policy

Main Cover:

- Directors and Officers
- Company Legal Liability
- Employment Practices Liability

Supporting Against:

- All UK Regulators
- All Investigations
- All Prosecutions

Regulatory intervention

Employment Claims

Employee Theft

Data protection cover & GDPR advice

Pollution

Pensions

MLP developments

MLP Key Developments

Employment claims

- Fees introduced 2-13 and ACAS 2014
- 71% drop in tribunal claims between 2013 – 2016
- Still costing indutry millions of pounds – 50% of MLP claims
- Claims rose significantly in 2017 – 2018
- Excess (if applicable)
  - rradar excess waiver
  - Excess applied at end of claim and only if lost or settled
  - Insured choice to fight or settle if good chance of winning claim (over 60% or above)

Key Product Enhancements

New covers at a glance:

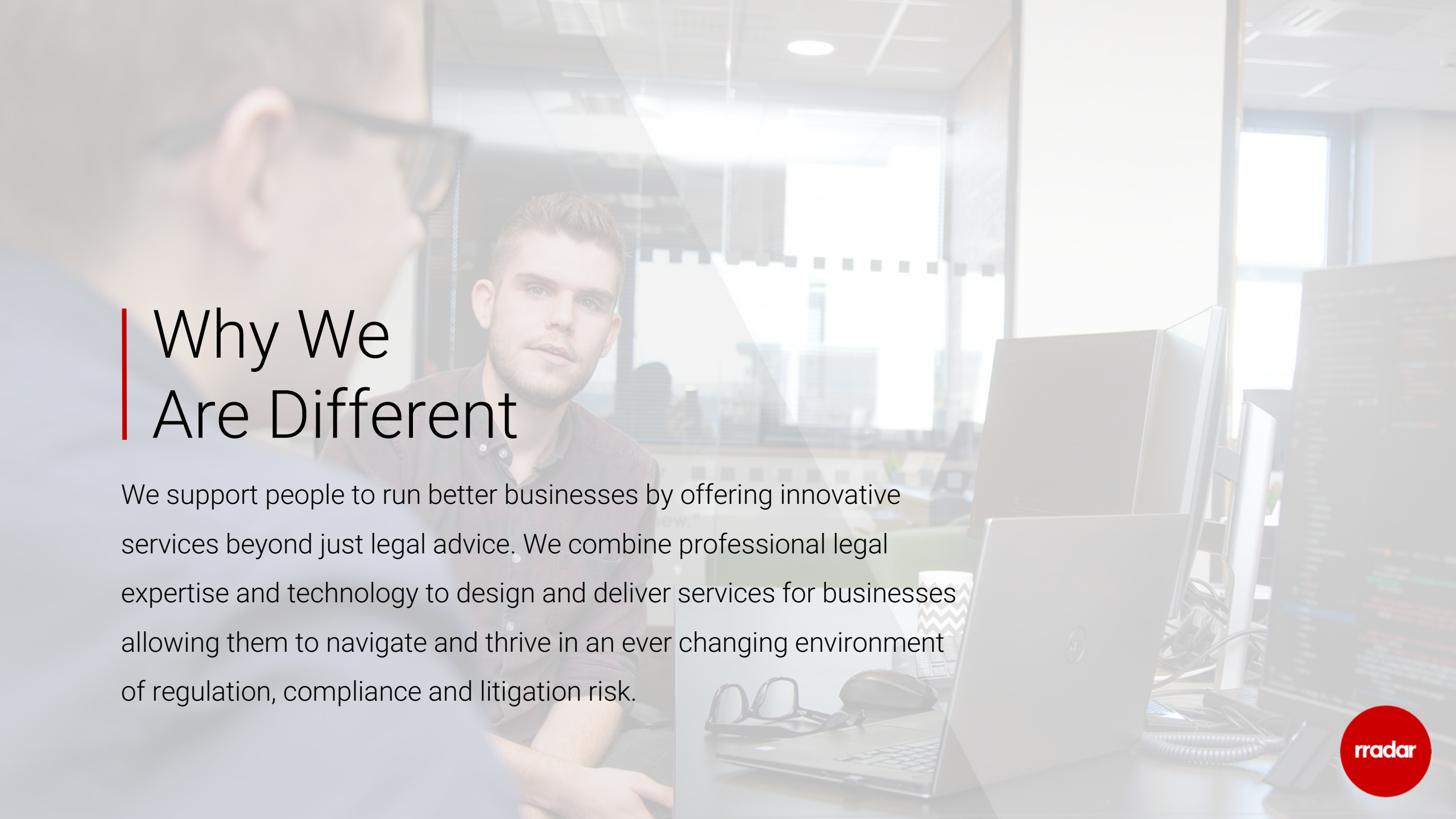
- Brexit cover for claims arising from the UK's exit from the EU
- Third party and telephone fraud cover up to £10,000 with zero excess
- Tax investigation costs for any aspect enquiry or full investigation
- Directors personal tax investigation costs up to £25,000 where a covered claim could follow
- rradar legal support extended to include negotiation rights of restrictive covenants and trespass, nuisance, personal removal and property damage

The Management Liability product has been refreshed so AXA can offer even better cover!

With a choice of flexible options, brokers can tailor covers to meet their clients needs.

Risk Management

Risk management involves understanding, analysing and addressing risk to make sure organisations achieve their objectives. It must be proportionate to the complexity and type of organisation involved..



Why We Are Different

We support people to run better businesses by offering innovative services beyond just legal advice. We combine professional legal expertise and technology to design and deliver services for businesses allowing them to navigate and thrive in an ever changing environment of regulation, compliance and litigation risk.

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24/7 Out of Hours Crisis Line

- For business related crimes that arise outside office hours
- Legal advice on how to work with the police and all investigating and regulatory bodies
- Available outside the hours of 8am-6pm including weekends and public holidays

Sharing Knowledge

rradar is about sharing expensive and difficult-to-access legal knowledge through innovative digital channels so clients can easily access the information faster and tackle business risks before they become a costly legal problem.

Digital Solutions

We are changing how businesses engage with their lawyers – providing efficient and user-friendly digital solutions to help them access legal services to minimise risk, rather than waiting until things have gone wrong.

Education & Prevention

We specialise not only in the management of legal crises, but also in the education and prevention of them happening in the first place.

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Practice Areas

Business Crime and Regulation

Supporting businesses when dealing with regulators and enforcement authorities.

Corporate and Commercial

Wide range of business services relating to compliance, managing trading relationships and business growth.

Commercial Disputes

Supporting businesses when they face commercial disputes in the ever-changing commercial landscape.

HR & Employment

All aspects of Employment Law from initial, preventative advice through to the Employment tribunal and beyond.

Our Digital Tools

- rradarstation
  Legal advisory web portal, including a phone and email advice line.

- rradargrace
  An intelligent legal assistant for business, available online or as a mobile app.

- rradarreport
  A platform for prompt recording of minor or major and near miss incidents in your workplace.

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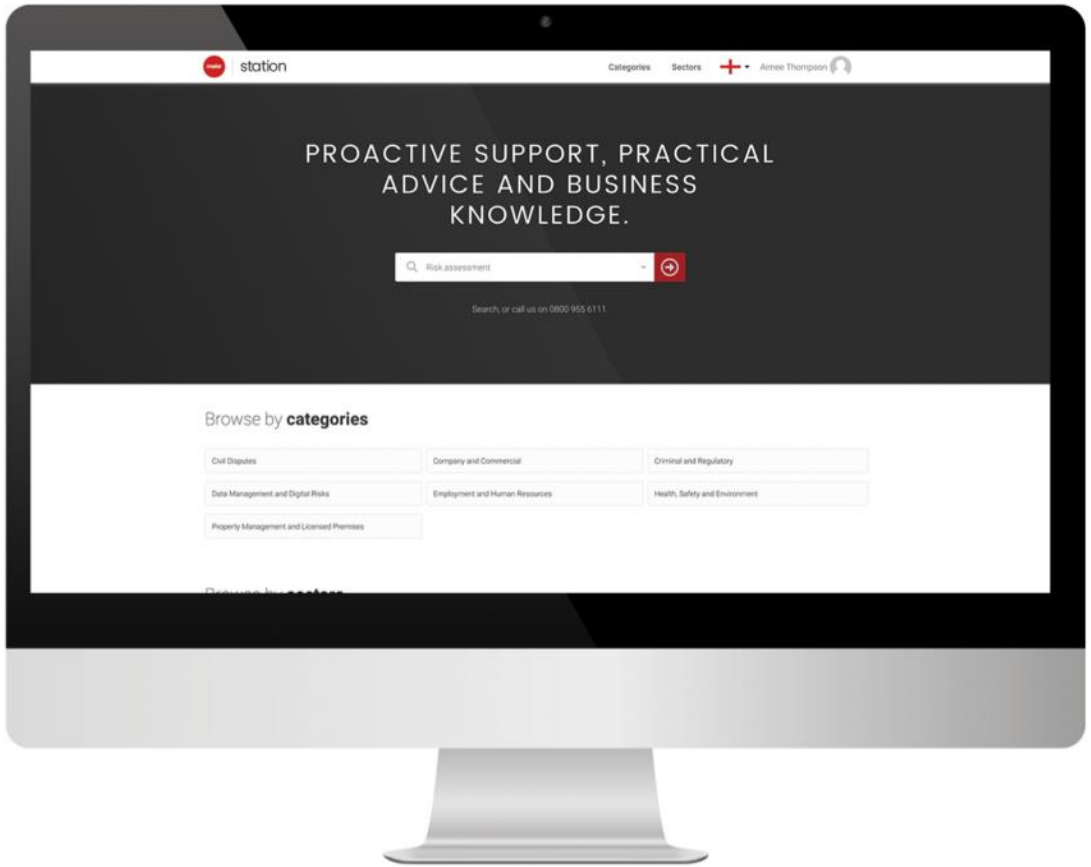
The Preventative Advisory Service



Key Features:

- Access to guidance, videos answering frequent questions and downloadable templates
- Direct access to expert legal advisors
- Phone and email service
- Covers topics across a wide range of legal, business and operational sectors

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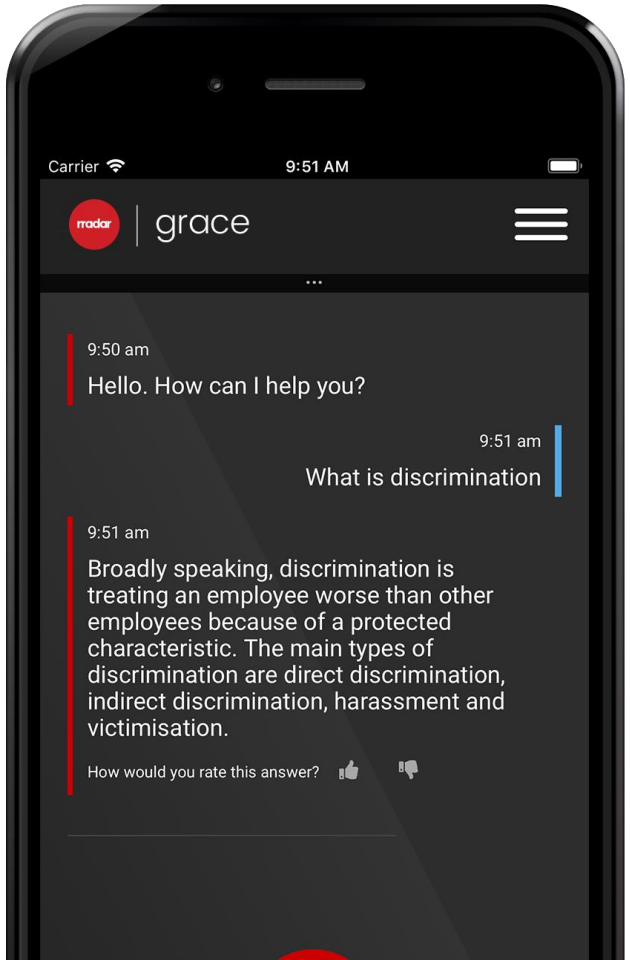
The Intelligent Legal Assistant



Key Features:

- Instant legal support “on-the-go”
- On demand dynamic app with voice recognition technology
- Integration with rradarstation to deliver templates, business guidance and more via smart devices
- Using predictive text and voice recognition, answers commercial legal questions

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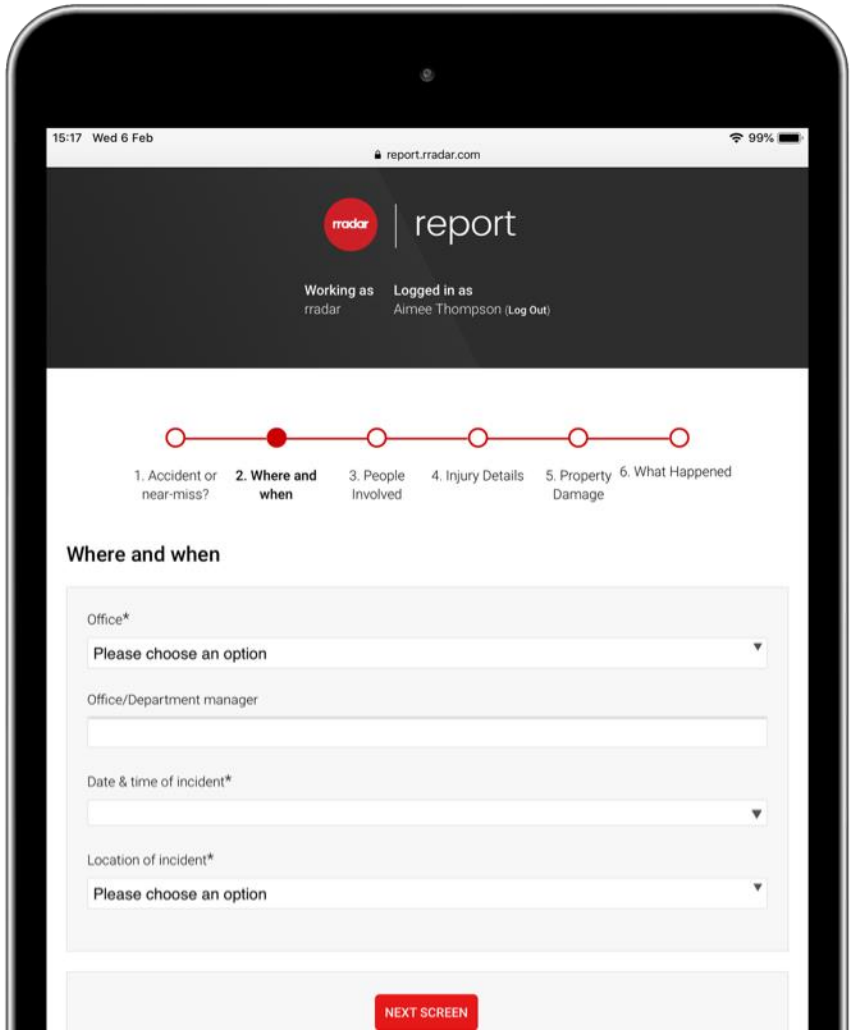
The Digital Incident Recording Platform



Key Features:

- Upload evidence, images and witness accounts as and when incidents happen
- Fully optimised for desktop, tablet and mobile devices
- Helps to analyse behavioural data and trends and spot potential risks
- Multiple user accounts for your organisation with 24/7 online system access from anywhere

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Thank you for listening

Any Questions? Feel free to ask!

Find us on:

Visit our website at **rradar.com**