

PROFESSIONAL LIABILITY PRACTICE

As Canada evolves into a services economy knowledge workers have prospered. Enabled by technology and harnessing their hard earned intellectual capital, tens of thousands of Canadian entrepreneurs have built prospering businesses around services, old and new. But with knowledge comes responsibility. Professionals have long been held to a higher duty of care than the public at large. The emergence of the knowledge economy has created new “quasi” professionals, extending this enhanced duty to more and more individuals and businesses, from IT consultants to masseurs. Servicing this opportunity, Underwriters have developed Specialty insurance products to transfer these risks, as dynamic and diverse as the needs of the professionals they cater to. Professional Liability, or Errors and Omissions Insurance, has become perhaps the most innovative coverage line in our industry, and a key driver of commercial premium growth in the past decade. It complements traditional casualty insurance covers even as it adds complexity to commercial lines broking.

SUM Insurance aligns first class security with creative underwriting expertise and top notch service to solve all your Professional Liability placement challenges. We provide Canadian domiciled Insureds with wordings tailored to each risk at hand. We can often offer CGL and D&O coverage to complement our E&O offering. Our Professional Liability appetite is as diverse as Canada’s economy, and includes but is not limited to:

ARCHITECTS AND ENGINEERS

This class presents underwriters with both frequency and severity exposure, and as such it can be tough to find insurance solutions for your client. Our unique relationships with various Lloyds underwriters committed to this segment gives you a competitive advantage in placing all manner of “A&E” risks, from traditional Architects and Engineers, to Technicians, Technologists, Draftsmen, Surveyors, Project Managers, and Landscape Architects, Interior Designers, Geologists, Hydrologists, and Testing Labs.

We offer six A & E coverage forms, including:

- Our standard Practice policy;
- Design and Build
- Product Manufacturer and Suppliers Professional Liability
- Single project Professional Liability
- Environmental Consultants Professional Liability; and
- Excess Professional Liability

For complete product details and features, please visit our website and click on ARCHITECTS AND ENGINEERS POSSIBILITIES.

MEDICAL MALPRACTICE

Most Doctors and Nurses are covered under their federal defence program (such as the CMPA). The clinics they work for, however, are also liable for, and thus require coverage for, the Professional work undertaken on their premises. SUM is interested in underwriting the full spectrum of Medical Malpractice, from the simple massage therapist to the complicated and high risk surgical clinic. We will also go where most Canadian Medical malpractice plans cannot: to the USA. Given our geographic reality, Canadian medical staff regularly treat American patients, or are called to perform work in the United States. Most Association Professional Liability programs for these practitioners will not extend to cover cross border exposure; SUM can fill this gap for you.

Given the wide range of vocations, we offer some recent examples of Medical Malpractice risks underwritten at SUM:

- Ambulatory services (including airlift)
- Outpatient Services
- Rehabilitation centre
- Surgical and non-surgical clinics
- Alternative Medicine association program (on a Master policy with certificates basis)

Please visit our website and click on MEDICAL MALPRACTICE POSSIBILITIES for complete product details and features.

MISCELLANEOUS ERRORS AND OMISSIONS (E&O)

At one time only the 'traditional' professions needed E&O cover: Accountants, Architects & Engineers, Lawyers, and Medical Professionals. Litigiousness, the judiciary's willingness to extend the higher duty of care borne by professionals to "quasi-professionals", and compulsory demands from suppliers and customers for proof of cover has lead E&O to branch out to an ever widening range of Professionals and Quasi-Professionals. SUM Insurance's Miscellaneous E&O programme is a 'catch-all' for those risks which doesn't fit into our other Professional Liability 'buckets'.

By way of example, some recent Miscellaneous E&O risks underwritten at SUM:

- Property Managers
- Retail Travel Agents
- Employment Agencies
- Management Consultants

Please visit our website and click on MISCELLANEOUS E&O POSSIBILITIES for complete product details and features.

INSURANCE BROKERS E&O

Provides coverage for financial loss to third parties which are a result from acts, errors, or omissions committed in your capacity as an Insurance broker or agent. We understand that the future of your firm is important. Our Insurance Brokers E&O Programme provides broad coverage which adheres to regulatory standards across the country. Aside from the traditional Property and Casualty (P&C) Insurance Broker, SUM Insurance can offer coverage for Managing General Agents (MGA), Managing General Underwriters (MGU), Wholesalers and Specialty Lines Agencies.

INFORMATION TECHNOLOGY

Continuously growing and ever-changing, the technology sector presents unique challenges for the Insurance Broker.

Many insurance policies for technology companies contain specialist errors and omissions cover, but our Esurance™ TECH product is the only policy where all sections of cover have been designed purely for the technology industry. We believe this is the only way to provide seamless cover.

- Software can be considered as a service or a product. This is why our product liability and errors and omissions insurance has been tailored to avoid any gaps in cover.
- Our business interruption cover takes into account issues relating to project delivery failure, delayed milestone payments and disruption to research and development activities.
- We do not use standard insurance definitions of "technology services" as this can dramatically reduce cover. Instead we let the technology company define their business and the activities to be covered.

Breach of Contract

The majority of errors and omissions claims against technology companies are for breach of contract, so it is very important that this area of coverage is clear and unambiguous.

- Many policies claim to cover breach of contract, but have a contractual liability exclusion or condition.
- We provide clear cover for breach of a client contract.
- We do not have a contractual liability exclusion or condition.

Other Features

Apart from these two crucial coverage areas, Esurance™ TECH also includes the following features:

- Full civil liability coverage, not just negligence
- Specific cover for breach of intellectual property rights
- A comprehensive general liability package, including products and completed operations liability, tenants' legal liability, employee benefits liability, non-owned and hired auto and medical expenses
- Property cover which includes sewer back-up as standard and provides options for earthquake and flood
- Virus and hacking liability cover
- Payment of fees withheld by an aggrieved client if this mitigates a potentially larger claim
- Reimbursement of costs incurred to help reduce or avoid a claim

- No exclusions for fines and penalties, project delays, third party defects or bugs post acceptance
- Cover for claims brought anywhere in the world as standard
- Limits of liability available up to \$10,000,000
- Premiums starting from as little as \$500

MEDIA

Media companies face a constantly evolving range of risks. As the worlds of technology and media converge, a new legal landscape is developing. Traditional policies fail to address these new threats making it more important than ever for media companies to buy specialist cover.

Our product, MEDIA, is a policy designed with the future very much in mind. It is a modular policy which allows media companies to tailor the cover they buy to the risks they face. Coverages include:

- Comprehensive media liability, including cover for user generated content
- Advertising and personal injury
- Defamation, including libel and slander
- Intellectual property rights infringement
- Invasion of privacy
- Blanket professional liability
- Breach of contract
- Cyber liability, privacy liability and privacy breach notification costs
- Commercial general liability
- Property and business interruption, including cyber perils

Target Market

MEDIA is aimed at a wide range of media companies:

- Broadcasters, including radio, TV, film and internet
- Content creators, including authors, copywriters, journalists, editorial services and production companies
- Publishers, including books, magazines, journals, newspapers, web and mobile
- Media professional services companies, including advertising agents, marketing consultants, public relations firms, graphic designers, post-production companies and literary agents.

SOCIAL MEDIA

Social media is revolutionizing the way we communicate. Yet these new media companies are operating in an uncertain and ever changing legal environment. Our cover, 2.0, has been specifically designed to provide comprehensive protection for this new breed of media company.

2.0 is a modular policy which allows social media companies to tailor the cover they buy to the risks they face. Coverages include:

- Comprehensive media liability, including cover for user generated content
- Advertising and personal injury Defamation, including libel and slander
- Intellectual property rights infringement
- Invasion of privacy
- Blanket professional liability
- Breach of contract
- Cyber liability, privacy liability and privacy breach notification costs
- Commercial general liability
- Property and business interruption, including cyber perils.

Target Market

2.0 is aimed at a wide range of social media companies:

- Social networks and community based websites
- Online gaming companies, including location based gaming and casual games
- Photo, music and video sharing websites
- Web publishers, bloggers, and wikis

CYBER, PRIVACY AND MEDIA RISKS

Media and technology are revolutionizing the way we communicate. Yet traditional insurance policies have not kept up with this evolving landscape. CPM insurance has been specifically designed to provide comprehensive protection for the cyber, privacy and media risks faced by companies in their day to day operations

CPM is a policy that has been designed with the future very much in mind. It is a modular policy which allows companies to tailor the cyber, privacy and media cover they buy to the risks they face. Coverages include:

- Comprehensive media liability, including cover for user generated content
- Advertising and personal injury
- Defamation, including libel and slander
- Intellectual property rights infringement
- Invasion of privacy
- Blanket professional liability
- Breach of contract
- Cyber liability, privacy liability and privacy breach notification costs
- Commercial general liability
- Property and business interruption, including cyber perils

Target Market

CPM is aimed at a wide range of companies as most businesses have an exposure to cyber, privacy and media risks. Some industry examples include:

- Website operators and e-tailers
- Healthcare providers
- Leisure and entertainment companies
- Retailers
- Manufacturers and wholesalers
- Professional service companies

BILL 124 LIABILITY:

Under Ontario's Bill 124, the Ontario Building Code was amended to require Errors and Omissions Liability coverage for those persons who provide advice and/or design work for projects requiring a building permit. SUM Insurance provides coverage compliant with 'Bill 124' guidelines.

We want to be your first and last call for all your Professional Liability placement challenges.

Our diverse Professional Liability appetite is matched with broad cover and best of class service. Please visit the website for detailed Lists of Possibilities, and Applications.

Coverage Highlights

ARCHITECTS AND ENGINEERS:

Limits of Liability up to \$5mm, with easy access to higher if required

Worldwide coverage available.

Can easily be complemented with Commercial General Liability product from same insurer.

Broad claims-made wording.

Coverage is for firms (not individuals within firms) and all employees for Professional Liability.

We can consider small one-person designers to large multi-faceted firms.

Six unique wordings to cover all possibilities:

- Practice Policy. This is the standard Professional Liability wording.
- Design and Build Professional Liability Policy
 - Includes prior to hand-over costs
- Product Manufacturer and Suppliers Professional Liability Policy
 - For design and manufacturers or those who provide technical advice when supplying. Refer to our online Brochure for full details of coverage
- Single Project Professional Liability Policy
 - Similar to Wrap-Up, but for the professionals involved in a project.
- Environmental Consultants Professional Liability
 - For professionals involved in phase I, II, III and IV environmental work
- Excess Professional Liability

Wordings offer the following standard extensions:

- Loss of Documents
- Breach of Professional Confidentiality
- Dishonesty of Employees
- Libel and Slander
- Infringement of Copyright

Possibility of the following buy back coverage:

- Pollution
- Mould
- Asbestos

Other extensions available:

- Reimbursement of costs
- Reimbursement of legal fees during disciplinary hearing
- Reimbursement of Occupational Health and Safety Act legal expenses
- Deductible Reimbursement
- Innocent Insured Extension
- Joint Venture Extension
- Asbestos Sub-limit
- Mould Sub-limit

Extended Reporting Period – Options up to three years or as required by provincial authorities.

Retroactive date will follow previous carrier.

Minimum premiums: \$1,500

Commission: 15%

For a more extensive list of risks, please visit our website and click on ARCHITECT & ENGINEERS POSSIBILITIES.

INSURANCE BROKERS E&O:

Limits of \$5mm, with easy access to higher if required

Broad claims-made wording. Coverage is for firms (not individuals within firms) and all employees for Errors and Omissions. Accommodation can be made for individual brokers attaching to a firm.

Canadian licensed and domiciled Insurance Brokers

Compliant to all Canadian jurisdiction requirements.

Wordings offer the following standard extensions:

- Loss of Documents
- Breach of Professional Confidentiality
- Dishonesty of Employees
- Libel and Slander
- Infringement of Copyright

Retroactive date will follow previous carrier (or as required by provincial regulator).

Minimum premiums: \$1,000

Commission: Not paid in this class.

MEDICAL MALPRACTICE:

Limits of \$5mm, with easy access to higher if required.

Can easily be complemented with Commercial General Liability product from same insurer.

Broad claims-made wording. Policy can be issued to cover the individual medical provider or the company they work for along with the staff.

Program coverage available.

Worldwide coverage.

Retroactive date will follow previous carrier.

Minimum premiums: \$1,000

Commission: 15%

For a more extensive list of risks, please visit our website and click on MEDICAL MALPRACTICE POSSIBILITIES.

MISCELLANEOUS E&O:

Limits of \$5mm, with easy access to higher if required

Can easily be complemented with Commercial General Liability product from same insurer.

Broad claims-made wording. Coverage is for firms (not individuals within firms) and all employees for Errors and Omissions.

Program coverage available.

Worldwide coverage available.

Wordings offer the following standard extensions:

- Loss of Documents
- Breach of Professional Confidentiality
- Dishonesty of Employees
- Libel and Slander
- Infringement of Copyright

Possibility of the following buy back coverage:

- Pollution
- Mould
- Asbestos

Retroactive date will follow previous carrier.

Minimum premiums: \$1,000

Commission: 15%

For a more extensive list of risks, please visit our website and click on MISCELLANEOUS E&O POSSIBILITIES

BILL 124 LIABILITY:

Limits of up to \$5mm.

Can easily be complemented with Commercial General Liability product from same insurer.

Broad claims-made wording.

Compliant to Bill 124 requirements.

Wordings offer the following standard extensions:

- Loss of Documents
- Breach of Professional Confidentiality
- Dishonesty of Employees
- Libel and Slander
- Infringement of Copyright

Possibility of the following buy back coverage:

- Pollution
- Mould
- Asbestos

Retroactive date will follow previous carrier.

FOR ALL PROFESSIONAL LINES:

Professional Lines is a rapidly evolving marketplace – many risks we see haven’t been insured before, and some can be a challenge to match cover to. As a result, there is little consistency in the marketplace; in underwriting approach, coverage form or selection practise. We endeavour to provide service of the highest quality. As part of this commitment we promise that:

- You will deal with an experienced underwriter who understands the various professional lines we distribute
- We will make fast decisions and will react when you tell us something is particularly urgent
- We will listen to your feedback and use it to continually improve our service
- We want to be your first and last call for all your Professional Liability placement challenges.
- We are happy to work with other markets application and proposal forms
- Our premiums start at \$1,000.00. We offer 15% commission and generally do not levy policy fees.

Claims

We provide claims services from specialty professional claims consultants. Please enquire for specifics by product type.

Market Security

PROFESSIONAL LIABILITY

INSURER	RATING
Lloyd’s Underwriters	A (by AM Best)

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