



# Information Technology Liability product profile

## DUAL's coverage

DUAL Australia is a leading provider of Information Technology (IT) liability insurance.

We offer our brokers and insureds market leading cover, competitive pricing and simple transactions, either through the WebRater for turnover less than \$7 million, or tailored solutions from our dedicated underwriting team.

Our new IT liability policy includes an extensive list of enhancements, such as extended continuous cover, contractual liability, key personnel loss, and product recall expenses.

Our policies automatically include our contract review service, which provides important advice to the insured to ensure their liabilities and exposures, are adequately covered.

## DUAL's appetite

We have a broad underwriting appetite for information technology professionals, with most occupations able to be quoted. Some examples include:

- Database/software programming and applications
- IT facilities management and integration
- IT and network consulting
- Hardware engineering, IT maintenance and repair
- IT project management, outsourcing

### Client profile

SMEs with turnover up to \$7 million through the WebRater. For turnover above this, contact your underwriter.

Limits of indemnity available:

- Section A professional indemnity: \$10 million
- Section B public and products liability: \$20 million

# What is covered?

## Key policy benefits

- Combined professional indemnity and public and products liability wording
- Limits up to \$10 million for professional indemnity and \$20 million for public and products liability
- Exclusive of costs, limits and deductibles
- Contract review service
- Advancement of defence costs
- Amounts paid for products and service - \$250,000
- Attendance at investigations - full limit
- Loss mitigation - \$250,000
- Civil liability
- Contract review service - four reviews per policy period
- Contractual liability - full limit
- Crime (first and third party) - \$50,000
- Discovery period
- Emergency costs - full limit (includes defence costs, legal representation costs, public relations costs and loss mitigation and rectification costs)
- Extended continuous cover
- Fee recovery - \$250,000
- Insurer duty to defend
- Intellectual property (IP) - full limit
- Key personnel loss - \$250,000
- Loss of data - full limit
- Panel counsel - One hour per enquiry
- Principal's vicarious liability
- Product recall expenses - full limit
- Public liability - \$20 million any one claim and product liability - \$20 million any one claim in the aggregate
- Public relations - full limit
- Optional: Employment Practices Liability (EPL) - \$500,000
- Optional: Whistleblower hotline
- Optional: USA and Canada cover - \$1million

## Why DUAL?

### Uninsured exposure specialists

Our association liability product has been designed specifically to provide comprehensive coverage and a broad underwriting appetite for SMEs.

### Simple delivery

Our association liability product is available through the WebRater, with quotes obtained with minimal questions. Alternatively, we can provide tailored solutions from our dedicated branch underwriters.

### Claims expertise

Our dedicated in-house financial lines claims team includes qualified lawyers with over 40 years of experience.

Our claims officers are dedicated to managing your claim from initial notification right through to resolution. In addition, we partner with specialist law firms and consultants, with significant expertise in niche areas, such as EPL, statutory liability, crime, and tax audit, to ensure our insureds get the best possible outcomes.



# Proven claims experience

## Professional indemnity

### IT project management and reseller of third-party hardware

- 3 staff
- \$225,000 turnover

## Background

The insured was hired by a client to host their website. The claimant initiated Supreme Court proceedings against the insured for breach of contract and negligence when the client lost all the data on their website.

## Outcome

Indemnity was extended under the main policy insuring clause, and panel solicitors were retained to assist in the defence of the matter. The claim was settled before trial, for a figure significantly smaller than alleged in the statement of claim.

**Payment: \$85,000.**

## IP

### Digital marketing website design and hosting

- 40 staff
- \$4 million turnover

## Background

The insured provided search engine optimisation (SEO) services for a laser eye surgery client. Proceedings were initiated against the client and the insured by a competing laser eye surgeon for breaches of IP. The claimant alleged that the client had been using a particular procedure name in their SEO services that was trademarked by the claimant.

## Outcome

The policy responded through the IP additional benefit, and indemnity was granted for defence costs and any liability arising from the settlement. Panel solicitors were retained to defend the matter.

**Payment: \$10,000.**

## Products/ public liability

### Data communication services/ telecommunication services

- 4 staff
- \$150,000 turnover

## Background

The insured was hired to install security systems and provide network and security consulting to a client. While installing cameras on site, the insured's ladder fell off the roof of their vehicle, causing property damage to another car in the carpark.

## Outcome

Indemnity was granted under the public and products liability insuring clause.

**Payment: \$15,000.**

## Large loss

### IT sales and installation services

- 30 staff
- \$1.5 million turnover

## Background

The insured was employed by a client to develop IT infrastructure to support and carry out data migration from one network provider to another. During the migration process, a disk drive was accidentally deleted and the client lost all data. The client sought payment of \$500,000 from the insured for lost data and rectification costs.

## Outcome

The policy was triggered and DUAL appointed panel solicitors to assist in the defence of the claim.

**Payment: \$340,000.**

## Questions?

For further details on our IT liability protection, please contact your local DUAL underwriter.

Product Profile: IT Liability - 02.25

## Helping you do more

Sydney | Melbourne | Perth | Brisbane

1300 769 772

**dualinsurance.com**

DUAL Australia Pty Limited | Registered in Australia under ABN No. 16 107 553 257

The claims examples contained in this fact sheet are meant as a hypothetical guide only. DUAL Australia does not accept any liability arising out of reliance on the information in this fact sheet. We urge you to consult your insurance broker, the Insurance Council of Australia or the Australian Financial Complaints Authority (AFCA) for further information. If you are unable to resolve any issues that you may have, you may need to obtain independent legal advice.

