

## DIRECTORS' AND OFFICERS' LIABILITY INSURANCE PROGRAM

Does your non-profit or charitable organization or volunteer centre have people serving as trustees, directors or officers? Do you have employees or volunteers working on behalf of your organization or volunteer centre?

### Understanding Directors' and Officers' Liability Insurance

Directors' and Officers' Liability Insurance provides coverage for a non-profit or charitable organization or volunteer centre and their trustees, directors and officers who may be exposed to liability through the actions of a person acting in their capacity as a member or representative of the organization. Directors' and Officers' Liability Insurance responds when any error, omission, misleading statement, neglect or breach of duty, employment practice violation or wrongful act such as discrimination or harassment, is alleged against any person acting in their capacity as a member or representative of the organization. Directors' and Officers' Liability Insurance supplements the organization's general liability insurance coverage.

Directors' and Officers' Liability Insurance provides coverage for claims resulting from board/managerial decisions that have adverse financial consequences. These can include claims for damages related to:

- Wrongful dismissal;
- Financial mismanagement;
- Employee discrimination;
- Violation of duty owed to the non-profit;
- Violation of provincial or federal laws;
- and others.

Directors' and Officers' Liability Insurance also provides coverage for claims resulting from the actions or inactions of any person (for instance volunteers or employees) acting in their capacity as a member or representative of the organization. These can include claims for damages related to:

- Harassment;
- Discrimination;
- and others.

Coverage can now be purchased or renewed online at [www.underourwing.bmsgroup.com](http://www.underourwing.bmsgroup.com)

The Under Our Wing program offers five coverage options, with limits ranging from \$500,000 to \$5,000,000 per policy period. Premium is dependent on annual revenue and coverage limit selected. Details can be found at [www.underourwing.bmsgroup.com](http://www.underourwing.bmsgroup.com).

### Automatically Included with Directors' and Officers' Coverage:

#### Cyber Liability and Privacy Coverage

This coverage is designed to help non-profit or charitable organizations or volunteer centres to manage the risk of holding increasingly large quantities of personally identifiable data of employees, volunteers, and others, and to mitigate the reputational damage resulting from a data security breach.

Managing data security is a major challenge globally, and is one from which the non-profit and charitable sector is not immune. Data breaches take many forms. Some derive from external hackers; others from malicious insiders; and still others, from simple carelessness.

The Cyber Liability and Privacy Coverage built-in to the Under Our Wing Directors' and Officers' Liability Insurance policy considers the additional expenses inherent to a cyber breach and has been designed specifically for the non-profit and charitable sector. Coverage includes:

- Damages legally awarded to third parties affected by a breach;
- Investigative costs;
- Regulatory defence costs and penalties

## Legal Expense Insurance

Legal Expense Insurance is designed to provide policyholders with unlimited access to a Legal Advice Helpline, plus all the reasonable legal costs involved in pursuing or defending an unexpected legal issue related to the organization (and covered within the policy). Legal costs include those related to the appointment of lawyers and expert witnesses, disbursements, court costs and more. Coverage will respond to issues including (amongst other things):

- Legal advice;
- Employment disputes;
- Property protection;
- Tax protection; and,
- Legal defence.

## How to report a claim

Prompt claims notification is very important and should be made within 30 days of receiving a formal notice or statement of claim. Failing to report a claim may result in denial of coverage. Please refrain from making any written or oral statements to the claimant, unless the insurer or adjuster advises to do so.

If you are unsure, always err on the side of caution and report a claim.

Members receiving notice of a claim or who are aware of a potential claim should contact Great American Insurance Group directly at 1-847 330-6829 or [eldclaims@gaig.com](mailto:eldclaims@gaig.com).

## How to Apply

Please contact BMS Group to apply for Directors' and Officers' Liability insurance or apply online at [www.underourwing.bmsgroup.com](http://www.underourwing.bmsgroup.com)

### BMS Canada Risk Services Ltd (BMS Group)

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Ottawa ON, K1S 5J3

Toll Free: 1-844-294-2715

Email: [underourwing@bmsgroup.com](mailto:underourwing@bmsgroup.com)

Web: [www.underourwing.bmsgroup.com](http://www.underourwing.bmsgroup.com)

### More information

This brochure is a summary of coverage and is for information purposes only. Full terms and conditions of the policy, including all exclusions and limitations are described in the policy wording, a copy of which can be obtained from BMS Canada Risk Services Ltd (BMS Group). For more information on the coverage, please contact us.