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Professional Risks

Marketing, Advertising & Communications Proposal Form



DOA takes your privacy very seriously. We collect and process information about you in order to provide insurance policies and to process claims. Your information is also used for business purposes such as fraud prevention and financial management. This may involve sharing or obtaining information about you within our group of companies and other third parties such as insurers, sub brokers, loss adjusters, credit reference agencies, service providers, professional advisors, our regulators and fraud prevention agencies. We may record telephone calls to help us monitor and improve the service we provide. For further information on how your information is used and your rights in relation to your information please see our [Privacy Policy](https://www.doainsurance.co.uk/privacy-policy/). If you do not have access to the internet please contact us and we will send you a printed copy.

DOA Underwriting Ltd is an independent underwriting agency, wholesale broker and principal company for David Oliver T/as David Oliver Associates and DOA Special Facilities Ltd (DOA) and is Authorised and Regulated by the Financial Conduct Authority, FRN 772309.

Important Notice

This proposal must be completed and signed by a principal, partner, director of the proposer/s. The person completing and signing the form should be authorised by the proposer to do so and should make all reasonable enquiries to enable all the questions to be answered.

All questions must be answered to enable a quotation to be given.

Completing and signing this proposal does not bind the proposers or insurers to enter a contract of insurance.

If there is insufficient space to answer questions, please use an additional sheet and attach it to this form (please indicate section number).

# General information

1. Please provide the following details (including all trading names and subsidiaries):

|  |  |
| --- | --- |
| Name | Date of establishment |
|  |  |
|  |  |
|  |  |
|  |  |
| Website address | |

1. Address/es, including postcode/s for all subsidiaries:

|  |  |
| --- | --- |
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1. Please supply details of all principals, directors, partners:

|  |  |  |
| --- | --- | --- |
| Name | Qualifications | How long with the company |
|  |  |  |
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1. Please state total numbers of:

|  |  |  |  |
| --- | --- | --- | --- |
| Principals, directors, partners | Creative staff | Administration | Others |
|  |  |  |  |

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| 1. Please state the name of any professional body or trade association of which you are a member: |
| Professional body |
| Trade association |

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| --- | --- | --- | --- | --- |
| 1. Do you currently have a professional indemnity policy in place? | | | | 🞏 Yes 🞏 No |
| If **YES**, please provide: | | | | |
| Name of current insurers |  | | | |
| Name of your broker |  | | | |
| Renewal date |  | | | |
| Limit of indemnity |  | | | |
| Premium |  | | | |
| Excess |  | | | |
| Retroactive date |  | | | |
| 1. Do you or any of your principals, directors, partners have any association with or financial interest in any other practice, company or organisation? | | 🞏 Yes 🞏 No | | |
| If **YES**, please provide details of the nature of the association, together with the name of the business and activities undertaken: | |  | | |
|  | | |  | |
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| 1. Do you use consultants / sub-contractors? | | | 🞏 Yes 🞏 No | |
| If **YES**: | | |  | |
| 1. What percentage of your turnover / fee income was paid to them in the last financial year? | | % | | |
| 1. What was the nature of the work undertaken? | |  | | |
|  | |  | | |
|  | |  | | |
| 1. Do you require cover for them under this policy? | | 🞏 Yes 🞏 No | | |
| 1. Do you require them to carry professional indemnity insurance to a similar limit? | | 🞏 Yes 🞏 No | | |
| If **NO** to 8d­, please provide details as to why not: | |  | | |
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1. Please complete the following:

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| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 1. Financial year end date: / / 20 | | | |  | | |  |  |
| 1. Total turnover / fee income: | **Previous** | **Last complete** | **Current** | | | **Estimate** | |  |
| £ | £ | £ | | | £ | |
| 1. Estimated percentage split of your turnover / fee income for: | | | |  | | | |
| Work carried out for UK clients | % | % | % | | | % | |
| Work carried out for US / Canadian clients not subject to US / Canadian law | % | % | % | | | % | |
| Work carried out for US / Canadian clients subject to US / Canadian law | % | % | % | | | % | |
| Work carried out for clients anywhere else in the world – please give details of where | % | % | % | | | % | |
| Operating profit | £ | £ | £ | | | £ | |
| 1. Do you enter into contracts that are not subject to UK / EU law? | | | | | 🞏 Yes 🞏 No | | |
| If **YES**, please provide full details of which countries and jurisdiction: | | | | |  | | |
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# Business activities

|  |  |  |
| --- | --- | --- |
| 1. Split of turnover including fees in the past year or if a new firm your anticipated figures: | | |
| **Production of Advertisements:** | |  |
| 1. **Commercial TV** 2. **Other Media** | | £  £ |
| **Media Spend**  **(whether purchased by you or by media independent relative to your creative work)** | | £ |
| **Production of corporate/promotional videos** | | £ |
| **Post Production Services** | |  |
| **Printed literature / documents** | | £ |
| **Direct marketing** | Mail shots | £ |
| Postage costs | £ |
| Telemarketing | £ |
| Database management and list broking | £ |
| **Sales promotion** | | £ |
| **Marketing consultancy including digital marketing** | | £ |
| **Market Research** | | £ |
| **Graphic Design** | | £ |
| **Corporate identity and brand development** | | £ |
| **Photographers/Videographers** | | £ |
| **Animator/Cartoonist/Illustrator** | | £ |
| **Creative Consultant including fashion design** | | £ |
| **Conference/Exhibition/Event Managers** | | £ |
| **Authors Agents** | | £ |
| **Talent Agents** | | £ |
| **Other work, please give details** | | £ |
| **Total turnover including fee income\*** | | £ |
| **\*Please note this figure should be as per answer to question 9b for the last complete year** | |  |

|  |  |  |
| --- | --- | --- |
| 1. If there are activities in question 10 where you have declared no income for the last financial year: | |  |
| 1. Have you undertaken any of these activities in the past? | | 🞏 Yes 🞏 No |
| 1. Do you intend to undertake any of these activities in the future? | | 🞏 Yes 🞏 No |
| If **YES** to any of the above, please provide details, including nature of activities and income: | |  |
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| 1. Please give details of your five largest contracts in the last five financial years (If new start-up, please complete question 16): |  |

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| --- | --- |
| **Largest contract:** |  |
| Start and end dates |  |
| Nature of contract |  |
|  |  |
| Name and business of client |  |
| Total contract value |  |
| Income to you |  |
| **Second largest contract:** |  |
| Start and end dates |  |
| Nature of contract |  |
|  |  |
| Name and business of client |  |
| Total contract value |  |
| Income to you |  |
| **Third largest contract:** |  |
| Start and end date |  |
| Nature of contract |  |
|  |  |
| Name and business of client |  |
| Total contract value |  |
| Income to you |  |
| **Fourth largest contract:** |  |
| Start and end dates |  |
| Nature of contract |  |
|  |  |
| Name and business of client |  |
| Total contract value |  |
| Income to you |  |

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| 1. Do you provide printing services or assume liability for printing? | 🞏 Yes 🞏 No |
| If **YES**, please provide details, including client: |  |
|  |  |
|  |  |
|  |  |
| 1. Do you carry out any print only contracts?   If **YES**, what percentage of your turnover/ fee income in the last completed financial year relates to these? | 🞏 Yes 🞏 No |
| % |
| 1. Direct marketing |  |
| 1. What is your largest mailing (by number of pieces mailed)? |  |
| 1. What is your average size mailing? |  |
| 1. Do you do 100% mailings (contracts where 100% of the client database must receive the mailing)? | 🞏 Yes 🞏 No |
| If **YES**, please provide details: |  |
|  |  |
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| 1. Do you have a structured process or procedure in place to ensure that your work does not infringe a third party's intellectual property rights and that you obtain all appropriate licences or permissions from copyright holders when you use any photographs, pictures, film clips, music or any other content? | Yes  No |
| If you have standard written procedures, please attach a copy. |  |

# Risk management

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| 1. Are satisfactory written references obtained from former employers for at least three years prior to the engagement of any employee responsible for money, accounts or goods? | 🞏 Yes 🞏 No |
| 1. Above what amount do payments require at least a two-stage sign-off? | £ |
| 1. Do you hold client funds, or do you have client authority to agree and/or effect transfers or payments on their behalf from client funds or accounts? | 🞏 Yes 🞏 No |
| If **YES**:   1. Do you ever act solely on e-mail instructions to transfer funds or make payments from client accounts without taking steps to independently verify the authenticity of the instructions and integrity of any bank account details provided prior to execution? | 🞏 Yes 🞏 No |
| 1. Do you undertake to immediately implement procedures to ensure that there is such an independent verification process in place for all future transactions? | 🞏 Yes 🞏 No |
| 1. What steps have you taken to ensure that the transaction has been completed successfully? |  |
|  |  |
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| 1. When entering into contracts please confirm: |  |
| 1. You carry out work only under your standard contract, signed by every client? | 🞏 Yes 🞏 No |
| 1. All contracts are vetted by a legally qualified person before being agreed? | 🞏 Yes 🞏 No |
| If **NO**, please provide details as to why not: |  |
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| 1. Do you: |  |
| 1. Always have a written specification with your clients for each job, which includes campaign details, volume, quality, timings and sign off procedures? | 🞏 Yes 🞏 No |
| 1. Always report all deviations to the above contract specification? | 🞏 Yes 🞏 No |
| 1. Always use a purchase order, or equivalent, when employing subcontractors which mirror any client obligations for each contract? | 🞏 Yes 🞏 No |
| 1. Always obtain final client sign off before going to print? | 🞏 Yes 🞏 No |
| If **NO**, please provide details: |  |
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| 1. Do you commit clients to contracts with third parties? | 🞏 Yes 🞏 No |
| If **YES**, do you always obtain clients written acceptance of the terms of contracts before committing them? | 🞏 Yes 🞏 No |

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| If **NO**, please explain why not: |  | |
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| If **YES**, please provide details: |  | |
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| 1. Does your business obtain, record, store or otherwise process any personal data as defined under the General Data Protection Regulations (GDPR) / Data Protection Act 2018? | | 🞏 Yes 🞏 No |
| If yes, please confirm;   1. How many personal data records are processed annually | |  |
| 1. What proportion of data records processed contain a highly sensitive element (e.g. banking or saving account number, debit card number, health information, passport number) | |  |
| 1. Are you involved in any communications to consumers, including by post, e-mail, telephone or SMS?   If yes, do you have appropriate policies and procedures in place to ensure that appropriate consent has been obtained or verified in compliance with the GDPR/Data Protection Act 2018, the Privacy and Electronic Communications Regulations 2003 and other applicable legislation? | |  Yes  No   Yes  No |
| 1. Do you seek explicit consent from all third parties before selling or sharing their personally identifiable data?   If no, please provide further details | |  Yes  No |
|  | |  |
|  | |  |
| 1. Has any proposal for similar insurance made on your behalf, any predecessor or any past or present principals, directors, partners ever been declined, cancelled, refused or had special terms applied? | |  Yes  No |
| 1. Is there any other information that you consider material to the insurance required? | |  |
| If **YES**, please provide details: | |  |
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| 1. For what limits of indemnity are quotations required? | | |  |
| 🞏 £250,000 | 🞏 £500,000 | 🞏 £1,000,000 | |
| 🞏 £2,000,000 | 🞏 £5,000,000 | 🞏 £10,000,000 | |

# Claims

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 1. In respect of any of the risks to which this application relates: | | | | | | | |
| 1. Has any claim been made (whether successful or not) against you, any predecessor, any past or present principals, directors, partners? | | | | 🞏 Yes 🞏 No | | | |
| 1. Has any loss been suffered by you or any predecessor as a result of the dishonesty or malice of any past or present principals, directors, partners, employees or self-employed person? | | | | 🞏 Yes 🞏 No | | | |
| If **YES** to any of the above, please provide details: | | | |  | | | |
| Date of claim / loss | Brief details of each claim / loss | Total cost of  claim / loss paid | | | Estimated total cost of claim / loss | | |
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| 1. What steps have been taken to prevent a recurrence? | | | |  | | | |
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| 1. Are you, after full enquiry: | | | |  | | | |
| 1. Aware of any circumstance which is likely give rise to a claim or loss against you, any predecessor or any past or present principals, directors, partners? | | | | 🞏 Yes 🞏 No | | | |
| 1. Aware of any shortcoming in your work for a client which is likely to give rise to a claim against you? This includes: | | | | 🞏 Yes 🞏 No | | | |
| 1. A shortcoming known to you, but not your client, which you cannot reasonably put right? | | | |  | | | |
| 1. A complaint from your client about your work or anything you have supplied which cannot be immediately resolved? | | | |  | | | |
| 1. An escalating level of complaint from your client on a particular project? | | | |  | | | |
| 1. A client withholding payment due to you after any complaint? | | | |  | | | |
| If **YES** to any of the above, please provide details: | | | |  | | | |
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| 1. Do you have any grounds, after reasonable enquiry, for suspecting that any past or present principal, director, partner, employee or self-employed person has acted dishonestly or maliciously? | | | | 🞏 Yes 🞏 No | | | |
| If **YES**, please provide details: | | | |  | | | |
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# Please read this paragraph carefully before signing the declaration

It is essential that every proposal, when seeking a quotation to take out or renew any insurance, discloses to the prospective Insurers all material facts and information (including all material circumstances) which might influence the judgement of an Insurer in deciding whether to accept the risk and on what terms. The obligation to provide this information continues up until the time that there is a completed contract of insurance. Failure to do so entitles the Insurers, if they so wish, to avoid the contract of insurance from inception and so enables them to repudiate liability thereunder. If you have any doubt as to what constitutes a material fact or circumstance please do not hesitate to ask for advice.

# Declaration

On behalf of the proposer/s, I/we declare that, after full enquiry, the contents of this proposal are true and that I/we have not misstated, omitted or suppressed any material fact or information. If there is any material alteration to the facts and information which I/we have provided or any new material matter arises before the completion of the contract of insurance, I/we undertake to inform the Insurer.

## Signature of principal / director / partner: ­­­­­­­

Date: