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McParland Finn Ltd

INSURANCE BROKERS

Appointment Documents - Inclusion of Cyber Liability Clauses

Insurance for your reputation



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Appointment Documents - Inclusion of Cyber Liability Clauses

As the use of Building Information Modelling continues to increase within the construction sector, for those firms who may act as BIM Information Manager you may well have seen, if not also pointed out to you by your Professional Indemnity Insurance Broker, clauses now appearing within non industry standard appointment documents requiring you to carry and maintain Cyber Insurance.

Such clauses will likely be worded along the lines of:-

'The Consultant warrants that it has in place and shall keep in force for the duration of the performance of the Services a policy of cyber insurance with a limit of indemnity of not less than £5,000,000 for any one occurrence or

series of occurrences arising out of any one event, to ensure the protection of the BIM Documents and to comply with its obligations as BIM Information Manager.'

This insurance cover requirement is of course in addition to similar clauses within your Appointments requiring the maintenance of Professional Indemnity (PII), Employers' and Public Liability insurances.

MFL provides all our clients in the construction professions a pragmatic vetting service looking at Appointment documents from a PII perspective and we have noticed this increasing trend; indeed the same clauses are, of course, finding their way into Collateral Warranty documents too.

Going forward, there is a growing body of opinion which feels that the need for Cyber Insurance cover is to become more prevalent, with more and more Employers, Contractors, Funders etc insisting upon its insertion, irrespective of the BIM Information Manager role, given that some of the same exposures could be faced by your practice anyway.

MFL arranges Cyber Insurance solutions for construction professionals, whether this be a joint policy option from the same Insurer (ie PII and Cyber), or by way of separate policies with different insurers.

Cover under a Cyber Insurance policy is wide-ranging to cater for the whole variety of gaps in more traditional policies that it seeks to plug. We attach a proposal form for our own Cyber Insurance product, which includes a brief summary of the cover provided. We would be happy to speak with you about this subject and in conjunction with your PII arrangements, either over the telephone or at your own offices should you prefer.

**Contact the MFL
Professional team
to discuss your
PI arrangements:**

**T: 0161 236 2532
W: www.m-f-l.co.uk**
