

The background of the entire page is a repeating pattern of blue circles on a dark grey background. The circles are arranged in a grid that appears to be receding into the distance, creating a 3D effect. The top of the page has a solid blue band.

**OPDU**

## **The Pensions Insurance Specialist**

**Scheme Wind-Up & Run-Off Protection for Trustees and Employees**

OPDU  
IS MANAGED  
BY **THOMAS  
MILLER**



## The Pensions Insurance Specialist

### **Scheme Wind-Up & Run-Off Protection for Trustees and Employees**

If you are a trustee or trustee director of a pension scheme or an employee dealing with a pension scheme which is being wound-up you need to put into place protection for yourself in the event that problems arise after the scheme has completed its winding-up.

Reliance on indemnities from the employer will not provide you with sufficient protection since it will only remain valid while the sponsor exists. Also, it will only be as good as the strength of the sponsor, its willingness to accept liability and pay out.

Furthermore, there are limits to this protection. You are not protected in the event of breach of trust relating to investments. Nor are you protected for civil fines or penalties.

Winding-Up or Run-Off cover from OPDU will help protect you from these risks.

For OPDU wind-up cover, you can secure protection of between £1million and £15million with higher limits available if required. OPDU protection can also be varied to meet the specific requirements of individual trustees.

For OPDU Run-off cover, the maximum protection will be the same as under the existing OPDU Pensions Trustee Liability policy.

In either case, cover can be secured for periods from 6 years to lifetime.

OPDU can help you through its free, confidential Advisory Service. OPDU also holds an Annual General Meeting and regular risk conferences to which you will be invited.

OPDU has a unique structure which includes an Advisory Council whose counsel enables the services and cover provided to continue to meet the changing needs of insureds.

# OPDU

## Who is protected?

To achieve the aim of protecting you from loss as a result of maladministration of the pension scheme or wrongful act which is discovered after the scheme has been wound-up, the insured has been defined broadly to include:

- Trustees (including past trustees)
- Independent/Professional Trustees
- Corporate Trustees
- Directors of Corporate Trustees
- Employees (including directors and officers, committee and/or trustee board members and pension scheme managers)
- Lawful spouses, estates, heirs or legal representatives of past trustees or employees in the event of death, incapacity, insolvency or bankruptcy.

This broad definition can help to reduce internal conflicts and eliminate disputes between insurers representing different interests.

## What is protected?

### Errors and omissions

You are covered for losses suffered as a result of wrongful acts, such as breach of trust, negligence or misrepresentation.

### TPR civil fines and penalties

Where insurable, trustees are covered for civil fines and penalties imposed by the Pensions Regulator (tPR) and for legal costs incurred in connection with investigations and prosecutions by tPR or other official body.

### Complaints

You are covered for awards made by the Pensions Ombudsman and for legal costs incurred in defending determinations and appealing his decisions. This cover also extends to investigations or proceedings from any other equivalent regulatory body

### Defence costs

Trustees and employers are covered for legal costs and expenses incurred in defending claims brought against you in connection with their duties to the pension scheme. These costs can include referrals to alternative dispute resolution, arbitration, mediation and other forums.

# OPDU

## **Missing Beneficiaries**

You are covered for the costs of investigating and if necessary funding for benefits for any missing beneficiaries who claim benefits from the scheme after it has completed its winding up.

## **Extensions**

- Member Nominated Trustees in the event of non-disclosure or misrepresentation.

## **Benefits of membership**

### **The Advisory Service**

Provides you with general guidance and advice. The confidential advice line is staffed by lawyers and pension professionals as well as providing access to The Advisory Panel Experts where appropriate.

### **The Claims Service**

Provides the best possible claims handling service through a team of in-house barristers, solicitors and pension professionals who deal with claims in a sympathetic and professional manner. They are experienced in managing complex, sensitive disputes with due regard to the adverse publicity that litigation can attract.

OPDU Elite is underwritten by Chubb.

# OPDU

The Occupational Pensions  
Defence Union Limited  
90 Fenchurch Street  
London EC3M 4ST

tel: 020 7204 2400  
enquiries@opdu.com  
www.opdu.com

Authorised and Regulated by the Financial Conduct Authority