



# Epsilon Claims Handling Protocol

## DCS Asia Pacific – Claims Management

Epsilon Underwriting Agencies (Epsilon) has engaged DCS Asia Pacific Pty Ltd (DCS) to manage Epsilon claims. The Managing Director of DCS is Jon Sitwell who can be contacted as below. Further details are available at [www.dcsclaims.com.au](http://www.dcsclaims.com.au)

### Claim and incident notifications should be made by:

- t. 02 8235 4044
- f. 02 8235 4040
- e. [jon.sitwell@dcsclaims.com.au](mailto:jon.sitwell@dcsclaims.com.au) (General Enquiries)  
[epsilon@dcsclaims.com.au](mailto:epsilon@dcsclaims.com.au) (Notifications)

### Policy Deductible

It is standard Epsilon practice to underwrite liability insurance policies with a Deductible that is inclusive of costs. What this means is that any external costs incurred in the management of any claim will fall within the Deductible and will be required to be paid by the Insured until the Deductible is exhausted. Such costs could include investigation/adjustment fees and legal fees but does not include Epsilon's administrative claims costs or DCS' fees.

Epsilon's appointed service providers and lawyers will invoice Epsilon from time to time and Epsilon will then seek reimbursement from the Insured of those invoices, up to the point of exhaustion of the Deductible. Reimbursement must be made promptly to ensure the Insured's compliance with the terms of the liability insurance policy. If the claim against the Insured is resolved by settlement by judgment and, at that time, the Deductible has not been exhausted by defence and investigation costs, the Insured will be called upon to pay up to the balance of the deductible toward the settlement or judgment.

If preferred, Epsilon is more than happy to quote an extra premium to transfer the Deductible to a costs exclusive basis.

## **Proactive Claims Management**

Epsilon believes in proactive claims management. This entails attempting to resolve matters early and actively responding to third parties.

## **Commercial Resolution**

Many small matters can be commercially resolved without the need for litigation. Litigation substantially escalates the cost of claims and in many cases will exceed the commercial worth of a third party's claim. It is Epsilon's policy to commercially resolve such matters without recourse to litigation. In those matters that can be commercially resolved where liability is not clear and an Insured opposes settling the matter, Epsilon will pay to the Insured the amount for which such a claim can be settled in return for a release in respect to the matter.

## **Reporting of serious injury or death**

In the event of the reporting of a serious injury or death, Epsilon will require the matter to be investigated in anticipation of a claim. The investigation would be completed by an external claims investigator who would most likely be instructed by a lawyer who will prepare a report outlining the legal position and possible defence strategies. The legal report is necessary to provide professional privilege to the investigator's report. The external investigation fees and legal fees would form part of the inclusive of costs Deductible.