

Legal Expenses Family guide



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Most people think they are unlikely to become involved in a legal dispute but a bad experience with an employer, boundary dispute or a holiday from hell are all very common problems. Taking legal action to resolve these kinds of issues can be expensive and complicated. Family Legal Solutions will allow you to protect your legal rights without worrying about the cost.

Employment Dispute cover

A dispute with an employer can be stressful, time consuming and very costly to deal with. Legal expenses cover pays the legal costs of a dispute with a current, former or prospective employer relating to an employment contract or related legal rights. Some examples would be things such as unfair dismissal or unfair selection for redundancy.

Employment Dispute scenario

Our insured worked for an office supplies company, after working there for several years she found out that a male colleague was on a higher wage than her, even though she was more experienced and had more expertise. She submitted a grievance for equal pay. Whilst this was being investigated, the company suffered a downturn in work and made our insured redundant. She felt she was unfairly selected and in her opinion, was being made redundant due to her grievance.





Our insured contacted us to make a claim and we appointed a specialist solicitor to act for her. Prior to the hearing at the Employment Tribunal, the former employer agreed to settle for £9,400 plus a good reference. ARAG paid the solicitor's fees of £2,500.

Contract cover

We can also help with legal disputes arising from purchasing goods or services or the private sales of goods. This will include buying or hiring consumer goods or services including a home, privately selling goods including a home and renting a home as a tenant.

Contract dispute scenario

Our insured got into a high value contract dispute when purchasing his house. The defendants in the matter were the sellers of the property and the building surveyor appointed to provide a Homebuyer's Report on its condition. Our insured found shortly after purchasing the house that it suffered from substantial damp and water penetration to the garage and garden walls.

We appointed solicitors to act on his behalf and prepare claims against both potential defendants. As no offers were forthcoming from either opponent, the appointed solicitors had to issue proceedings.

Defences were received from both defendants, but shortly afterwards, they agreed to attend a three-way mediation. An acceptable arrangement was concluded with the damages being split 75% by the surveyor's insurers and 25% by the sellers.

Property Protection cover

Our policy can help if there are property issues such as a dispute with a neighbour physical damage to the property as well as nuisance and trespass.

Property Protection scenario

A neighbour had built a wall which encroached onto our insured's garden. After failing to reach an agreement with their neighbour about removing the wall, our insured contacted us and we appointed a solicitor to act for them.

Following protracted correspondence, both sides agreed to mediation, leading to an agreement for the wall's removal where it had been built on our insured's land. We paid the solicitor's fees of £5,250.

Personal Injury Cover

We will pursue a claim following a sudden incident which causes physical injury or death.

Personal Injury scenario

The insured was walking home in a well-lit area on the pavement next to a busy road when a car mounted the pavement and hit the insured. The insured was taken to hospital suffering a broken leg and the driver was arrested for dangerous driving. We were notified of the claim and instructed a specialist solicitor. They obtained the police report and contacted the defendant's insurer. Liability was admitted and medical reports obtained that confirmed the insured injuries and provided evidence to support loss of earnings, a settlement of £42,000 was reached.



Clinical Negligence cover

We will pursue a claim where the insured has been physical injured by clinical negligence.

Clinical Negligence scenario

Our insured's son suffered a broken arm, following continued pain in the arm it was later established that his elbow had been dislocated during the initial break and that this had not been picked up at the time. As a result, he underwent substantial surgery to correct the problem.

Unfortunately, the procedure was unsuccessful and he was left with limited movement in his right arm. The insured contacted us and we appointed a solicitor to act on his behalf. After lengthy negotiations liability was admitted and compensation of £54,000 was agreed. Legal costs of £15,000 were paid by us.

Tax Protection cover

Tax disputes can be particularly tricky for people to deal with which is why our policy covers investigations by HMRC into personal tax affairs.

Tax Protection scenario

Our insured received a letter from HM Revenue & Customs stating that they intended to make an enquiry into our insured's personal tax return for the previous year. Our insured contacted us and we appointed a tax consultant to represent him and negotiate on his behalf. After extensive investigation, HMRC confirmed that the tax return was in order with appropriate tax paid. We settled the tax consultant's invoice for £3,500.

Legal Defence

We will cover work-related prosecutions and legal action against the insured for unlawful discrimination, the defence of a motoring prosecution and an investigation or disciplinary hearing brought by any professional or regulatory body.

Legal Defence scenario

Our insured was a therapist facing formal investigation by their regulatory body following a series of complaints made by a patient. The patient complained that their treatment had been withdrawn, no adequate support plan was provided and the fact that treatment was being stopped was not communicated. We appointed a solicitor to act on the insured's behalf and represent them at the hearing. The hearing took place over two days and the allegations were dismissed, the legal costs of £6,500 were paid by us.

Loss of Earnings

This section of cover is for someone who has to attend court or jury service and needs to recover lost salary or wages.

Identity Theft

This is an area that is becoming increasingly problematic so we cover a dispute arising from the misuse of an insured's personal information to commit fraud or other crimes.





Benefits of the ARAG Consumer Legal website resource

Family policyholders have access to our online legal service which allows them to download legal documents, letters and formal notices, for a range of legal needs such as:

✓ Wills

✓ Identity theft recovery

✓ Buying and selling goods

✓ Powers of attorney

✓ Consumer complaints

✓ Divorce



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