

Conflicts of Interest Policy

Last Review Date	December 2024
Applicable law, rule or regulation	<ul style="list-style-type: none"> • European Union (Insurance Distribution) Regulations, 2018. • The Minimum Competency Code • The Consumer Protection Code 2012 (CPC)
Applicable contractual obligations	<ul style="list-style-type: none"> • Outsourcing Agreement (Delegated underwriting authority and claims handling authority) dated and effective from 1 January 2025 (the “Agreement”)

1. Policy Statement (Introduction)

This conflicts of interest policy is intended to ensure that Medisec operates in compliance with relevant Irish and European laws and regulations, Central Bank guidance and its contractual obligations most notably with its insurer. Medisec recognises that conflicts of interest may arise during its operations and is committed to managing them effectively.

Key behaviours related to achieving these objectives include:

- Ensuring proper management and governance
- Identifying, assessing, and mitigating conflicts of interest
- Protecting confidential information

2. Background/Purpose

Medisec is an Irish not for profit members’ organisation, committed to arranging professional medical and dental indemnity insurance and providing medico-legal and risk mitigation assistance, support and peace of mind for its healthcare professional members/policyholders.

In the context of arranging indemnity insurance for its members, Medisec acts as an insurance intermediary on behalf of MedPro, a division of Berkshire Hathaway European Insurance DAC, providing insurance intermediary services in respect of Professional Indemnity Insurance to healthcare professional and having accepted outsourced delegation of certain underwriting and claims functions from time to time in Ireland.

The purpose of this policy is to:

- Ensure compliance with legal, regulatory and contractual obligations
- Safeguard the interests of Medisec members
- Protect Medisec’s integrity and reputation

3. Policy Scope

This policy applies to the Medisec Board of Directors, and all staff.

4. Definition of a Conflict of interest

A conflict of interest occurs when an individual's personal interests, relationships or affiliations interfere, or appear to interfere with the interests of Medisec or its members.

5. Potential for Conflicts of Interest

There is scope for conflicts of interest to arise during Medisec's business activities.

Potential examples include (this is not an exhaustive list):

- Where a Board Director / staff member holds a role in another body, has financial interests (e.g. investments, directorships), or has business affiliations or a financial inducement, any of which have the potential to cause a conflict of interest.
- Where a staff member has a professional or personal relationship with a member, service provider, prospective member or prospective service provider.
- Where a staff member has an interest in or could be perceived to have an interest in the outcome of a matter, or where a member of Medisec staff knows a member or a claimant / complainant or potential claimant in a social, personal or professional capacity.
- Where a staff member has previously worked on or has knowledge beyond that which is available in the public domain of a Medisec matter.
- Where Medisec engages with multiple service providers and stakeholders (e.g. MCIRL, HSE, IMO ICGP) which may lead to relationships which could give rise to conflicts of interest.
- Where Medisec is carrying out delegated activities for MedPro (specifically underwriting or claims handling), actual or potential conflicts of interests with MedPro or Medisec's members may arise which may impair Medisec's performance of its duties under the Agreement.
- Where a staff member with underwriting or claims handling authority becomes aware of information from members that may be relevant to their underwriting or claims handling function in the course of providing membership or advisory services.
- While investing surplus funds and sourcing services, Medisec engages with multiple service providers which may lead to relationships which could give rise to conflicts of interest.

6. Risk Mitigation

Medisec mitigates the risk of conflicts of interests arising by, *inter alia*:

- Operating and maintaining effective organisational and administrative arrangements;
- Issuing an updated Terms of Business to prospective members which explains Medisec's outsourced obligations, services, and which references our remuneration policy;
- Issuing an updated Medisec Privacy policy which explains Medisec's dual agency, and in particular its obligations and duties that arise from the Agreement and which explains how members' data and information provided by members may be used;
- Prior to application and renewal of a policy, expressly inform the member that Medisec has information sharing obligations with MedPro as its insurance intermediary;
- Requiring members to complete a standardised application form and providing them with a copy for their records;
- Issuing a detailed statement of suitability to the prospective member on the product/service recommended;
- Ensuring that products sold are suitable to members' needs and circumstances;

- Not remunerating or assessing the performance of its employees, in a way that conflicts with its duty to act in accordance with the best interests of its members;
- Acting, in the context of activities which are delegated to Medisec by MedPro (specifically underwriting and claims handling), in what it believes to be in the interests of MedPro and procuring that it has no actual or potential conflicts of interest with MedPro which may impair Medisec's performance of its duties under the Agreement;
- [MedPro recognises that Medisec also provides unregulated advisory services to its members. Consequently information obtained from a member such as that information provided as part of Medisec's unregulated advisory services may not always be included as part of the claims notification process. MedPro and Medisec shall keep each other informed as to how these workflows can be made more efficient and mitigate against conflicts of interest arising;]
- Discussing and agreeing with underwriters from time-to-time, work flows on underwriting and claims handling when a conflict or potential conflict is identified;
- If and when an unavoidable conflict arises, disclosing it to conflicted parties;
- Ensuring that all staff are trained appropriately in respect of their responsibilities and the procedures to follow on how to recognise and manage conflicts of interest and implementing ad hoc monitoring and auditing of the implementation of such processes.

7. Identifying Conflicts

Medisec staff and management will be vigilant in identifying potential conflicts of interest and shall, on becoming aware of the conflict or potential conflict, inform the Head of Compliance and CEO.

8. Recording conflicts

- Medisec maintains a register of all identified conflicts of interests, including details of how they have been managed.
- Medisec maintains a disclosure register of Medisec director, staff, management and appointed representatives' interests.
- Medisec implements a robust Gifts, Entertainments and Inducements policy.

9. Managing conflicts

Once a conflict of interest is identified, the following steps will be taken:

Assessment

The Compliance Function will assess the nature and extent of the conflict, with the assistance of the staff member who notified it.

Resolution

As regards conflicts of interests which arise in the context of Medisec's unregulated activities as a membership organisation, which fall outside the scope of the Agreement, the Compliance Function will identify appropriate measures to be taken.

As regards regulated and/or outsourced activities with MedPro, if the issue creates an actual or potential conflict of interest with MedPro which may impair Medisec's performance of its duties under the Agreement, Medisec will notify MedPro in writing of such conflict of interest as soon as reasonably possible identifying and providing details of the conflict of interest. On request, Medisec will cooperate in good faith with MedPro to agree on and document such steps as may be necessary or appropriate to remedy or

appropriately manage the actual or potential conflict of interest, and Medisec will comply with any appropriate procedures so agreed such as the escalation and dispute resolution mechanism in the Agreement.

Monitoring

With all conflict of interests, the position will be reviewed intermittently to ensure compliance with the resolution measures.

10. Roles and Responsibilities

Medisec educates staff and management on identifying and managing any conflicts of interest arising in its business. Regular reminders are provided to ensure ongoing awareness and Medisec staff and management are required to abide by their obligations.

11. Controls and Monitoring

The Compliance function will maintain the registers referenced at 8 above. The Compliance function will periodically review this policy to ensure compliance with Irish and EU legal and regulatory requirements, contractual obligations and best practice in conflict of interest management. Medisec's Board of Directors retains ultimate oversight and control of the conflict policy and any material changes shall be approved by it.

12. Escalation

Any breaches are to be escalated to the Medisec Compliance function in the first instance.

13. Policy Governance

Policy owner	Medisec Head of Compliance
Policy review frequency	Periodically, in accordance with timings specified in the regulatory tracker maintained by Compliance
Supporting documents	Conflict of Interest Log Register of Medisec staff and management interests. Medisec Gifts, Entertainments and Inducements policy.