

Lloyd's Market Association Claims Committee (LMACC)

The LMA Claims Committee is part of the LMA committee structure, made up of Claims Directors/Chief Claims Officers/Head of Claims. The Committee's membership represents the interests of the Lloyd's claims community and reports to the LMA Board. These Terms of Reference ("ToR") shall automatically incorporate the LMA Core Terms of Reference ("Core Terms") which can be found here. In the event of any conflicts between these ToR and the Core Terms, the Core Terms will prevail. The Core Terms will be up-dated from time to time, and at such time the most recent version will be deemed incorporated into these ToR.

1. Purpose

- 1.1 The LMACC operates for the Lloyd's claims community, requiring the membership to discuss policies, strategic objectives, and the delivery of excellence, whilst promoting and enhancing the brand, performance and reputation of claims in the Lloyd's market.

2. Responsibilities

2.1 The Committee shall have the following responsibilities:

- 2.1.1 Respond to requests from the LMA Board and LMA Leadership, LMA committees and panels and from LMA Members for guidance and recommendations.
- 2.1.2 Promote positive interaction between the Committee, the LMA and its committees, Lloyd's, and other interested parties.
- 2.1.3 Work with third parties to provide expertise to support the Lloyd's market.
- 2.1.4 As required review LMA model wordings or model agreements and consult with practitioners in the relevant sectors or classes of business
- 2.1.5 Be constituted to be proportionate and representative of the interest of the claims sector.
- 2.1.6 Meet on a regular basis with planned agendas and a record of proceedings ("record").
- 2.1.7 Publish a summary of its work from time to time on the LMA's website.
- 2.1.8 In fulfilling its objectives, the Committee may appoint, maintain and oversee sub-committees or working parties to consider specific matters.

2.2 Additional responsibilities and objectives:

- 2.2.1 Promote the Lloyd's claims community as specialist global leaders in claims service excellence.
- 2.2.2 Create a claims vision and strategy for the claims community.
- 2.2.3 Provide leadership to support Lloyd's brand in claims matters.
- 2.2.4 Sustain and further developing claims technical capabilities.
- 2.2.5 Establish policies, proposals, and deliverables that support the strategic response of the markets claims community, to protect the best interests of the market on appropriate claims related matters; this includes a majority of the LMACC being able to bind the market to a decision when more than 75% of the Lloyd's market by GWP is supportive of the approach, following consultation, and subject to funding and budget.

2.3 In furtherance of the above, the LMACC will be supported by, and delegate certain responsibilities to, sub-groups, including:

- 2.3.1 A Complex Claims Group (CCG), which will act as a technical group to respond to major loss events, and progress collective claims actions and key deliverables emanating from the LMACC or more than one class of business claims group. The CCG Chair is a member of the LMACC.
- 2.3.2 A Claims NexGen Group, which support delivery of LMACC strategic priorities as assigned; NexGen members will attend LMACC meetings on rotation.

- 2.3.3 A Claims Operations Leadership Group (COLG), which acts as an advisor to the LMACC on technology developments, including centrally procured digital solutions (Joint Venture- ICOS) and opportunities for new services and solutions; attendance by members of COLG at LMACC will be ad hoc.

3. Chair(s)

- 3.1 The Committee shall elect a Chair, by a simple majority of the members of the Committee.
- 3.2 The Committee may elect to have two Chairs in order to share workload. Alternatively, the Committee may elect to have a Deputy Chair, in which case, all references to Chair(s) in these ToR apply equally to Deputy Chair(s).
- 3.3 The duties of the Chair(s) are as follows:
- 3.3.1 The Chair(s) will oversee the efficient and effective operation of the Committee in accordance with these ToR.
- 3.3.2 In fulfilling their duties, the Chair(s) will act independently and with due regard for the interests of all LMA members in accordance with all applicable legal and regulatory requirements.
- 3.3.3 The Chair(s) (with the assistance of the Secretary) shall ensure that the Committee conducts its business in accordance with the requirements of applicable competition law.
- 3.4 The term of the Chair(s) shall be for a period of three years, (subject to them being able to continue to carry out that role) as supported by the Secretary.
- 3.5 Chair(s) can serve a maximum of two terms.

4. Secretary

- 4.1 The Committee shall have a Secretary who shall be an employee of the LMA. The duties of the Secretary are as follows:
- 4.1.1 Efficient administration of the Committee, including the convening of meetings, preparation and circulation of agendas and record of meeting, timely follow-up of agreed actions, management of agreed projects and reporting to the Committee and the LMA membership.
- 4.1.2 Monitoring compliance by the Committee with the LMA's Competition Compliance Guidelines, bringing any potential breaches to the attention of the Legal Director.
- 4.1.3 Appointing an alternate to attend a Committee meeting on their behalf. Such an alternate shall be an LMA employee and shall act in accordance with these ToR.
- 4.1.4 Perform an annual assessment of the effectiveness of the Committee and these ToR. See section 10.

5. Membership

5.1 General

- 5.1.1 The Committee shall consist of at least 14 (s)elected members plus the Chair.
- 5.1.2 Members of the Committee shall be employees of LMA member firms
- 5.1.3 There shall be only one Committee member from any one managing agent unless otherwise agreed by the Committee.
- 5.1.4 The term of membership of each Committee member shall be three years.
- 5.1.5 Committee members may put themselves forward for re-(s)election up to a maximum of two terms.
- 5.1.6 The criteria for membership is as follows:
- Holds the role of Claims Director/Chief Claims Officer/Head of Claims.
 - Broad experience of claims matters.
 - Ability to represent practitioners' interests to external bodies.
 - Reputation for fairness and integrity.
 - The addition of balance and strength to the Committee.

5.2 Admittance

- 5.2.1 Committee membership is based on a combination of standing, elected and selected members.
- 5.2.2 For 2023, there shall be six elected members and at least eight selected members, plus the Chair
- 5.2.3 For elected membership, the Secretary shall organize a ballot of managing agents when applicable via their Claims Director/Chief Claims Officer/Head of Claims. The number of places available each year will be determined by those elected members completing their term.
- 5.2.4 For selected membership, applications/notifications of interest shall be collated by the Secretary and presented to the Chair and Committee. The number of places available each year will be determined by those selected members completing their term and the representation of the selected membership remaining proportionate.
- 5.2.5 Committee members shall select the successful applicants by consensus.
- 5.2.6 The Secretary shall notify all applicants of the outcome and provide successful applicants with details of future meetings, previous minutes of meetings and a copy of these ToR's.

5.3 Co-option

- 5.3.1 The Secretary may invite individuals to become members of the Committee from time to time on a co-opted basis, to provide specialist knowledge.
- 5.3.2 Such co-opted members will be selected on the basis of appropriate technical expertise and experience and co-option will terminate when that expertise and experience is no longer required.
- 5.3.3 Co-opted members are not eligible to vote on Committee business.

5.4 Cessation of membership

- 5.4.1 Other than cessation due to maximum tenure membership may be revoked by notice from the secretary should any Committee member:
 - 5.4.1.1 Cease to fulfil the membership requirements.
 - 5.4.1.2 Become incapable of participating fully on the Committee.
 - 5.4.1.3 Breach the requirements of these ToR, in particular, the requirements relating to competition law (section 3), confidentiality (section 4) or conduct/culture (section 9).
 - 5.4.1.4 Fail to attend sufficient meetings. Committee members should make every effort to attend all meetings. Should a Committee member fail to attend at least [50%] of scheduled meetings, the Secretary may, at their discretion, require the Committee member to resign.
- 5.4.2 Committee members can resign their membership at any time simply by notifying the Secretary in writing.
- 5.4.3 If a selected member resigns prior to the end of their term, a substitute (meeting the required criteria) from their managing agency may be installed for the remainder of the term, subject to approval from the Committee.
- 5.4.4 In the event an elected member resigns prior to the completion of their term, the Committee may choose to invite applications and a ballot either immediately after the vacancy arises or at the next review of Membership.
- 5.4.5 When a Committee member leaves a Committee, that Committee member shall not retain any materials or work product of that Committee and, at the request of the Secretary, confirm that they have destroyed all such materials or work product.

6. Organisation and Operation of Committee meetings

6.1 Meetings

- 6.1.1 The Committee shall meet monthly and at least six times per year. Additional meetings may be convened as the Committee directs.
- 6.1.2 Meetings shall be scheduled in advance and be in-person, virtual or hybrid.
- 6.1.3 Committee members attending by VC are deemed to be present for attendance purposes.

6.2 Quorum

- 6.2.1 The quorum for a meeting of the Committee is at least 50% of its members present.

6.3 Voting

- 6.3.1 All matters requiring a vote by the Committee shall be decided by simple majority excluding the Chair(s).
- 6.3.2 In the case of a tie, the Chair(s) shall have the casting vote.

6.4 Agendas and record of meeting

- 6.4.1 Agendas and supporting material will be provided to committee members in advance of meetings.
- 6.4.2 A record of each meeting will be captured by the way of key discussions, decisions and actions. The record will be approved by the committee at a subsequent meeting

6.5 Reporting

- 6.5.1 The Secretary and Chair(s) shall be accountable to the LMA Board (and other governance groups as are required for specific projects / initiatives) to whom it shall report when required. An account of its work through the Secretary will also be communicated regularly to the wider market and LMA membership.