

# Solicitors Professional Indemnity Insurance Application Form 2015/16



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## Definitions

### Areas of practice

#### Agency advocacy

Defined as all advocacy work, including attendance at a Court or Tribunal for the purpose of such advocacy, done on behalf of another insured practice.

#### Commercial/Corporate work – excluding work related to public companies

This is a broad category covering all commercial work, whether for sole traders, partnerships or companies. It includes mergers and acquisitions, corporate trusts, corporate insolvency and taxation.

#### Commercial/Corporate work for public companies

This covers all work relating to public limited companies, including mergers and acquisitions, corporate trusts, corporate insolvency and taxation.

#### Conveyancing – commercial

Acting on the acquisition, sale or financing of freehold or leasehold property where the client is acting in the course of a business. This includes the drafting of leases and related documentation.

#### Conveyancing – residential

Acting on the acquisition, sale or financing of freehold or leasehold property where the client is not acting in the course of a business.

#### Debt collection

Collection of undisputed or undefended debts. Debt recovery work that involves a dispute, including the defence of a debt action, should be classified as Commercial Litigation.

#### Employment – contentious

Advising and acting on disputes between employer and employee which arise from statute and/or contracts of employment.

#### Employment – non contentious

General employment advice to employers and employees, including corporate support on transfers of businesses, employee benefits, drafting contracts of employment and staff handbooks.

#### Financial advice and services regulated by the Solicitors Regulation Authority

This covers financial advice and services regulated by the Solicitors Regulation Authority as a designated professional body under the Financial Services and Markets Act 2000.

#### Financial advice and services where your firm has opted into regulation by the Financial Conduct Authority

This covers financial advice and services directly regulated by the Financial Conduct Authority under the Financial Services and Markets Act 2000.

#### Landlord and tenant

Dealing with the exercise of contractual rights under a lease whether acting for a landlord or a tenant, including rights of enfranchisement, Landlord and Tenant Act 1954 claims, rent reviews, rights to manage, possession, and dilapidations. Does not include the creation/drafting of contractual rights.

#### Lecturing and related activities and expert witness work

This includes work involving the preparation for, and the presentation of, lectures, seminars, training and tuition whether for the purposes of professional skills training, continuing education or otherwise, and includes the provision of written material for publication.

#### Offices and appointments

This does not include appointment as an Officer or Director of a company but does include acting as a clerk to City Livery Companies, Dean and Chapters, Drainage Boards, Local Councils, Charities or School Governing Bodies; Diocesan Registrars, Archdeacon's Registrars or Provincial Registrars of the Provinces of the Church of England in respect of work covered by an Ecclesiastical Fees Order, provided that any such offices and appointments are undertaken in the course of Private Legal Practice.

#### Parliamentary agency

Defined as all work done in the promotion of or opposition to primary or subordinate legislation.

#### Property management, valuations and real estate agency

This covers property management, valuations and real estate agency carried out by the firm, but does not include any separate business providing these services that is outside the regulation of the Solicitors Regulation Authority.

### Other terms defined

#### Aggregate Excess

This additional benefit limits the total Excess the firm will pay for the insurance year to three (3) times the selected per claim excess.

#### Circumstance

A Circumstance means an incident, occurrence, fact, matter, act or omission that may give rise to a Claim in respect of Civil Liability.

#### Successor Practice/Prior Practice

The definition of Successor Practice in the Minimum Terms and Conditions is complicated. You may be a Successor Practice even though you did not intend to take on the liabilities of another practice when taking it over or merging with it and even if you specifically agreed that those liabilities would remain elsewhere.

Whenever a practice ceases 'being carried on as a discrete business', there is potential for the Successor Practice clause to take effect.

You may become a Successor Practice by holding out your practice 'expressly or by implication' as being the successor of or by incorporating the other practice(s), by taking on a majority of the Principals in the other practice as Principals in your firm, by taking on at least one such Principal as a Principal when the majority have not become Principals in another practice, by taking a sole practitioner or Recognised Body into your firm as a Principal, or by taking on a sole practitioner as an employee after 31 August 2000.

If your firm has done any of these things, at any time or is planning to do so, you may be a Successor Practice and should provide full details.

# Application Form

Please provide a full answer to every question. A Principal of the firm must sign and date this form along with any separate sheets.

**Please include with this form your financial accounts for the last two accounting periods and a sheet of your current headed notepaper.**

Please note that the following questions are designed to provide us with the information necessary to decide whether and, if so, on what terms, to offer to provide insurance for your firm. Filling the form in fully and with adequate detail will ensure that we are in the best position to provide you with a competitive quotation.

You should be aware that your answers to these questions do not amount to a notification to your current insurers of any claim against the firm or any circumstance that may give rise to a claim. If you have received a claim or are aware of any circumstances that may give rise to a claim you must inform your current insurer separately before the expiry of your current policy.

## 1. Your details

Firm name \_\_\_\_\_ SRA ID \_\_\_\_\_

Please include all other names under which you practise and any other entities for which you are seeking cover including trustee and nominee companies and incorporated Principals. Please include SRA IDs where relevant.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date established

Main office address

Postcode

Main office telephone number

Main office fax number

Firm website

Primary contact and email address

Is your firm a Limited Liability Partnership or a Company registered at Companies House?  Yes  No

Do you have any branch offices for which you are seeking cover?  Yes  No

If yes, please provide details below. Use a separate sheet if necessary.

|         |          |  |
|---------|----------|--|
| Address | Postcode | Is there a resident Principal?<br>If no, see question below. |
| _____   | _____    | _____  |
| _____   | _____    | _____  |
| _____   | _____    | _____  |

If there is no resident Principal in a branch office, please explain how that office is supervised.

\_\_\_\_\_

## 2. Prior Practices

List the names of all Prior Practices to which your firm has become a Successor Practice in the last fifteen years. Please refer to the Successor Practice definition at the start of this form. Use a separate sheet if necessary.

| Practice name | Date established | Date of succession | SRA ID |
|---------------|------------------|--------------------|--------|
| _____         | _____            | _____              | _____  |
| _____         | _____            | _____              | _____  |
| _____         | _____            | _____              | _____  |
| _____         | _____            | _____              | _____  |
| _____         | _____            | _____              | _____  |

Have any of the listed practices reported any Circumstances or Claims in the last five years?

Yes  No

If yes, please provide copies of claims information from other Insurers or the Assigned Risks Pool for all Circumstances and Claims reported since 01/10/2010.

## 3. Other mergers and acquisitions

Since 01/10/2010, has your firm merged with or acquired any firm that purchased run-off cover prior to the merger or acquisition with the result that your firm is not a Successor Practice?

Yes  No

If yes, please provide full details including the name of the firm and proof of run-off cover.

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## 4. Alternative Business Structures

Is your firm licensed as an Alternative Business Structure (ABS)?

Yes  No

If yes, please provide a copy of the licence and answer the following questions.

a) Does the ABS have Non-Solicitor Principals?

Yes  No

b) Is there external investment in the ABS?

Yes  No

c) Does the ABS engage in activities that are not regulated by the SRA?

Yes  No

If yes to any of the above, please provide full details.

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## 5. (a) The Firm

Please state total number of:

|                                 |       |  |       |
|---------------------------------|-------|--|-------|
| Equity Principals               | _____ | Legal Executives   | _____ |
| Salaried/Fixed Share Principals | _____ | Other non-solicitor fee earners (excluding Legal Executives) | _____ |
| Other Solicitors                | _____ | All other staff  | _____ |

Please state if none.

Please provide all information requested for every Principal, Assistant and Consultant who will be employed by your firm as at the inception date of the Policy. If anyone listed is a Registered Foreign Lawyer or Registered European Lawyer, please note RFL or REL alongside solicitor status. If you are a newly-established practice, please enclose a curriculum vitae for every Principal in your firm, your business plan and a cash flow forecast. Corporate entities that are Principals should be named in section 1 of this form and the personal details for the relevant individuals should be noted here.

| Title<br>(Mr/Mrs etc.) | Solicitor's full name | Date of birth<br>(DD/MM/YYYY) | Solicitor's status<br>(Principal/Assistant/<br>Consultant etc.) | Full or<br>part time<br>(if part time<br>state average<br>hours worked<br>per week) | Roll number<br>(As shown on<br>practising<br>certificate) | Number of<br>years practising<br>since admission<br>in England<br>and Wales<br>(excluding career<br>breaks) |
|------------------------|-----------------------|-------------------------------|---|---|---|---|
| _____                  | _____                 | _____                         | _____   | _____   | _____   | _____   |
| _____                  | _____                 | _____                         | _____   | _____   | _____   | _____   |
| _____                  | _____                 | _____                         | _____   | _____   | _____   | _____   |
| _____                  | _____                 | _____                         | _____   | _____   | _____   | _____   |
| _____                  | _____                 | _____                         | _____   | _____   | _____   | _____   |
| _____                  | _____                 | _____                         | _____   | _____   | _____   | _____   |
| _____                  | _____                 | _____                         | _____   | _____   | _____   | _____   |

## 5. (b) Legal Disciplinary Practices/Alternative Business Structures

Please provide all information requested for every Principal who is **not** a solicitor.

| Title<br>(Mr/Mrs etc.) | Full name | Date of birth<br>(DD/MM/YYYY) | Role<br>(e.g. HR/IT/Finance Director,<br>barrister, legal executive,<br>licensed conveyancer etc.) | Fee earner<br>Yes/No | Full or<br>part time<br>(if part time<br>state average<br>hours worked<br>per week) | Regulatory body<br>(if any) |
|------------------------|-----------|-------------------------------|--|----------------------|---|-----------------------------|
| _____                  | _____     | _____                         | _____  | _____                | _____   | _____                       |
| _____                  | _____     | _____                         | _____  | _____                | _____   | _____                       |
| _____                  | _____     | _____                         | _____  | _____                | _____   | _____                       |

Please provide all information requested for every corporate Principal.

|                             |       |                          |       |
|-----------------------------|-------|--------------------------|-------|
| Name of corporate Principal | _____ | Regulatory body (if any) | _____ |
| _____                       | _____ | _____                    | _____ |
| _____                       | _____ | _____                    | _____ |

## 5. (c) Office Holders and Accreditation

- i) Please provide the name and status of the person nominated as the Compliance Officer for Legal Practice ("COLP") or Head of Legal Practice ("HOLP") in the case of an ABS.

Name \_\_\_\_\_ Status \_\_\_\_\_

- ii) Please provide the name and status of the person nominated as the Compliance Officer for Finance and Administration ("COFA") or Head of Finance and Administration ("HOFA") in the case of an ABS.

Name \_\_\_\_\_ Status \_\_\_\_\_

- iii) Please provide the name and status of the person nominated as the Money Laundering Reporting Officer ("MLRO").

Name \_\_\_\_\_ Status \_\_\_\_\_

- iv) Please provide the name, status and email address of the person responsible for risk management in your firm.

Name \_\_\_\_\_ Status \_\_\_\_\_

Email \_\_\_\_\_

Is your firm accredited with Lexcel?

Yes  No

If yes, please provide date of accreditation.

\_\_\_\_\_

Does your firm have any other quality accreditation?

Yes  No

If yes, please provide details.

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## 5. (d) Work for other firms

Are any Principals or other fee earners also Principals, fee earners or employees of other law firms or any other businesses?  Yes  No

If yes, please provide details including an indication of the amount of the working week spent at the other firm or business.

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## 6. Outsourcing arrangements

Does your firm outsource any legal, secretarial, or other work?

Yes  No

If yes, please provide full details.

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Are your outsourcing arrangements fully compliant with the SRA Code of Conduct?

Yes  No

## 7. Practice fees

Please provide gross fee income (£) for the last three completed accounting periods and an estimate of gross fee income for the current accounting period, from your clients in the following territories.

|                           | Year End Date (DD/MM/YYYY)  | UK    | USA/Canada | Elsewhere | Total |
|---------------------------|---|-------|------------|-----------|-------|
| Estimated current year    | <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> | _____ | _____      | _____     | _____ |
| Last completed year Prior | <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> | _____ | _____      | _____     | _____ |
| completed year (-1) Prior | <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> | _____ | _____      | _____     | _____ |
| completed year (-2)       | <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> | _____ | _____      | _____     | _____ |

If your firm has any fees from clients in USA/Canada or elsewhere please provide full details of these clients, the work undertaken for them and whether the work involved advice on UK, US, Canadian or other law (please specify).

Does any one client, group of clients or any referral source generate 20% or greater of your annual fees?

Yes  No

If yes, please provide full details of these clients or referrers, the work undertaken and the fees earned/percentage generated.

## 8. Practising certificate and regulatory issues

a) In the last ten years has any Principal or fee-earner in the firm:

i) been refused a practising certificate?

Yes  No

ii) been granted a conditional practising certificate?

Yes  No

iii) been reprimanded, fined or otherwise sanctioned by the Solicitors Disciplinary Tribunal?

Yes  No

iv) practised in a firm subject to an investigation or an intervention by the Law Society or the SRA?

Yes  No

v) had an award made against him or her by the Legal Ombudsman or by the former LCS or CCS or entered into any regulatory settlement agreement with the SRA?

Yes  No

vi) had a civil or criminal judgment against him or her?

Yes  No

vii) been investigated by any regulatory body other than the Law Society or the SRA (e.g. FCA, Council of Licensed Conveyancers, CILEx, Bar Standards Board)?

Yes  No

viii) been made bankrupt?

Yes  No

ix) been (or is currently) the subject of an Independent Voluntary Arrangement (IVA) or other arrangement?

Yes  No

b) Has the firm been the subject of any visit from the SRA in the last 12 months?

Yes  No

c) Has the firm been the subject of any visit or enquiry from the SRA Forensic Investigation Unit in the past three years or has notice of any proposed visit or enquiry been given?

Yes  No

d) Has the firm engaged in discussions or correspondence with the SRA at any time within the last 12 months regarding concerns about the financial stability of the firm?

Yes  No

e) Has the firm or any Prior Practice or any present or former Principals, consultants or employees:

i) been convicted of (or charged with but not yet tried for) any criminal offence involving fraud or dishonesty?

Yes  No

ii) ever failed to meet any insurance premium, run-off premium or excess contribution in full or in part when requested, including any instalments due to premium finance companies in respect of such payments?

Yes  No

f) Has the COLP/HOLP or COFA/HOFA reported any material breaches to the SRA in the last 12 months?

Yes  No

If you have answered yes to any of the above questions, please provide full details on a separate sheet and include a copy of all reports together with all relevant correspondence with the SRA, Legal Ombudsman, the former LCS or CCS, SRA Forensic Investigation Unit, Solicitors Disciplinary Tribunal and/or any regulatory body.

g) Do you agree to the SRA providing information or confirmation on any of the above issues to us?

Yes  No

## 9. Claims and circumstances

a) Has your firm, or any Prior Practice, reported any Circumstances or Claims to the Assigned Risks Pool or to Insurers in the:

- Insurance Year 2010-2011  Yes  No
- Insurance Year 2011-2012  Yes  No
- Insurance Year 2012-2013  Yes  No
- Insurance Year 2013-2014  Yes  No
- Insurance Year 2014-2015  Yes  No

**Note**

If yes to any of the insurance years, please provide with this form Claims information from other Insurers or the Assigned Risks Pool for all Circumstances or Claims reported since 01/10/2010 by your practice or any practice to which you are a Successor Practice. Please refer to definition of a Circumstance at the beginning of this form.

b) Have any Circumstances or Claims reported by your firm or any Prior Practice in the last five years arisen as a result of the dishonesty of any Principal or employee of the practice?

Yes  No

If yes, please provide full details on a separate sheet including how each matter was resolved and the procedures/processes in place to avoid recurrence.

c) After making full enquiry of all Principals and employees in your firm, are you aware of any Circumstances or Claims that you have **not** reported to your current or any prior insurers?

Yes  No

If yes, please explain on a separate sheet.

**Please note that you have an obligation under your current professional indemnity insurance policy to notify these matters to your insurer and we will require confirmation that you have done so before cover can be put in place.**

## 10. Areas of practice

Please provide the percentage of gross fees allocated to each area of practice in the last three completed accounting periods rounded to the nearest whole percent. If you are a new firm, estimate percentages for the coming year. For guidance please refer to the definitions at the beginning of this form.

|  | Last completed year | Prior completed year (-1) | Prior completed year (-2) |
|--|---------------------|---------------------------|---------------------------|
| 1 Administering oaths, taking affidavits and notary public   | %                   | %                         | %                         |
| 2 Agency advocacy  | %                   | %                         | %                         |
| 3 Acting as an arbitrator, adjudicator or mediator   | %                   | %                         | %                         |
| 4 Children, mental health tribunal and welfare   | %                   | %                         | %                         |
| 5 Commercial litigation ( <b>please complete section 10 (a)</b> )  | %                   | %                         | %                         |
| 6 Commercial/corporate work (excluding work related to public companies) ( <b>please complete section 11</b> )         | %                   | %                         | %                         |
| 7 Commercial/corporate work for public companies ( <b>please complete section 11</b> )                                 | %                   | %                         | %                         |
| 8 Conveyancing – commercial ( <b>please complete section 12</b> )  | %                   | %                         | %                         |
| 9 Conveyancing – residential ( <b>please complete section 12</b> )   | %                   | %                         | %                         |
| 10 Criminal law  | %                   | %                         | %                         |
| 11 Debt collection   | %                   | %                         | %                         |
| 12 Defendant litigious work for insurers, including defendant personal injury work                                     | %                   | %                         | %                         |
| 13 Employment – contentious  | %                   | %                         | %                         |
| 14 Employment – non-contentious  | %                   | %                         | %                         |
| 15 Financial advice and services regulated by the SRA ( <b>please complete section 10 (b)</b> )                        | %                   | %                         | %                         |
| 16 Financial advice and services where your practice is regulated by the FCA ( <b>please complete section 10 (b)</b> ) | %                   | %                         | %                         |
| 17 Intellectual property including patent, trademark and copyright ( <b>please complete section 10 (c)</b> )           | %                   | %                         | %                         |
| 18 Immigration   | %                   | %                         | %                         |
| 19 Landlord and tenant   | %                   | %                         | %                         |
| 20 Lecturing and related activities and expert witness work  | %                   | %                         | %                         |



## Areas of practice (continued)

|  |            |            |            |
|--|------------|------------|------------|
| 21 Litigious work other than given in any other category<br>(please complete section 10 (d))     | %          | %          | %          |
| 22 Matrimonial/Family  | %          | %          | %          |
| 23 Non-litigious work other than given in any other category<br>(please complete section 10 (e)) | %          | %          | %          |
| 24 Offices and appointments  | %          | %          | %          |
| 25 Parliamentary agency  | %          | %          | %          |
| 26 Personal injury (claimant) (please complete section 13)                                       | %          | %          | %          |
| 27 Probate and estate administration   | %          | %          | %          |
| 28 Property management, valuations and real estate agency  | %          | %          | %          |
| 29 Town and country planning   | %          | %          | %          |
| 30 Wills and Trusts  | %          | %          | %          |
| 31 Tax Law and Tax Planning  | %          | %          | %          |
| <b>Total must equal 100%</b>   | <b>100</b> | <b>100</b> | <b>100</b> |

a) Details of commercial litigation work (see 5 above).

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b) Details of financial advice and services (see 15 and 16 above).

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c) Details of intellectual property work (see 17 above).

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d) Details of litigious work other (see 21 above).

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e) Details of non-litigious work other (see 23 above).

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f) Any other details of your areas of practice that you consider to be relevant (e.g. specific client base, specialist or niche field).

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## Areas of practice (continued)

g) Has your firm ever accepted instructions for any class actions or other group litigation within the last 10 years?

Yes  No

If yes, please provide full details.

## 11. Commercial

(a) In respect of commercial work, please provide gross fee income for the last accounting period from:

| Area                         | Gross fees (£) non-public companies | Gross fees (£) public companies |
|------------------------------|-------------------------------------|---------------------------------|
| Mergers and acquisitions     |                                     |                                 |
| Debt issuance/securitisation |                                     |                                 |
| Project financing            |                                     |                                 |
| Pension schemes              |                                     |                                 |
| Tax                          |                                     |                                 |
| Insolvency                   |                                     |                                 |
| Regulation/compliance        |                                     |                                 |
| Other (please specify)       |                                     |                                 |
| Other (please specify)       |                                     |                                 |
| Other (please specify)       |                                     |                                 |

(b) Please list the five largest matters over the last three years and fees earned in each case:

| Area of Work | Public or non-public company (please state) | Contract value (£) | Fees earned (£) | Year completed |
|--------------|---|--------------------|-----------------|----------------|
|              |   |                    |                 |                |
|              |   |                    |                 |                |
|              |   |                    |                 |                |
|              |   |                    |                 |                |

## 12. Conveyancing

- a) In the last 15 years has your firm undertaken any residential and/or commercial conveyancing amounting to more than 5% of gross fees in any one year?  
If no, please go to section 13.  Yes  No

- b) Please state the number of fee earners in your firm who undertake or have undertaken conveyancing work.

|                                   | Last completed year | Prior completed year (-1) | Prior completed year (-2) |
|-----------------------------------|---------------------|---------------------------|---------------------------|
| Principals                        | _____               | _____                     | _____                     |
| Solicitors (excluding Principals) | _____               | _____                     | _____                     |
| Other qualified fee earners       | _____               | _____                     | _____                     |
| Non-qualified fee earners         | _____               | _____                     | _____                     |

- c) Please fill in the below table in relation to **residential conveyancing**.

|   | Last completed year | Prior completed year (-1) | Prior completed year (-2) |
|---|---------------------|---------------------------|---------------------------|
| Gross fees (£)                                  | _____               | _____                     | _____                     |
| Number of transactions                          | _____               | _____                     | _____                     |
| Highest capital value (£)                       | _____               | _____                     | _____                     |
| Average typical capital value (£)               | _____               | _____                     | _____                     |
| Percentage of total relating to remortgage work | _____               | _____                     | _____                     |

- d) Please fill in the below table in relation to **commercial conveyancing**.

|                                   | Last completed year | Prior completed year (-1) | Prior completed year (-2) |
|-----------------------------------|---------------------|---------------------------|---------------------------|
| Gross fees (£)                    | _____               | _____                     | _____                     |
| Number of transactions            | _____               | _____                     | _____                     |
| Highest capital value (£)         | _____               | _____                     | _____                     |
| Average typical capital value (£) | _____               | _____                     | _____                     |

- e) In any year in the last 6, have more than 5% of your conveyancing instructions originated from any one client or referrer, e.g. mortgage broker, developer, financial adviser, estate agent?  Yes  No

If yes, please provide full details.

- f) Over the last 6 years has your firm acted for multiple (more than 3) purchasers in the same development or building?  
If yes, please provide details on a separate sheet.  Yes  No

- g) Please estimate what percentage of all your conveyancing instructions in each of the last 3 complete financial years relates to the purchase of buy-to-let properties.

|                     |         |                           |         |                           |         |
|---------------------|---------|---------------------------|---------|---------------------------|---------|
| Last completed year | _____ % | Prior completed year (-1) | _____ % | Prior completed year (-2) | _____ % |
|---------------------|---------|---------------------------|---------|---------------------------|---------|

- h) What identity checks do you carry out on conveyancing clients?

## Conveyancing (continued)

i) How do you comply with lender requirements on verification of identity?

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j) If you do not meet a client prior to a transaction, how do you establish identity?

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k) Over the last 6 years what safeguards have you had in place to ensure that any information indicative of mortgage fraud (e.g. back to back transactions, discounts, incentives) is:

i) identified?

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ii) reported to lender clients?

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l) Does a Principal directly supervise all residential conveyancing matters? If not, please provide details of supervision arrangements.

Yes  No

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m) Has the firm been removed from any lender panels in the last 12 months? If yes, please provide full details including the lender name and reason.

Yes  No

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n) Does anyone other than a Principal sign reports and/or certificates of title addressed to lenders or their representatives? If yes, please provide full details.

Yes  No

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o) Have you received any requests for conveyancing files from lenders in the last 12 months? If so, please state the total number of individual files requested and the name(s) of the lender(s).

Yes  No

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## Conveyancing (continued)

p) Has the firm or any Prior Practice in the last 12 months:

|  | Yes/No   | Number |
|--|--|--------|
| i) undertaken residential or commercial surveys/valuations for lending purposes? | _____  | _____  |
| ii) advised on Equity Release Plans?   | _____  | _____  |
| Does the firm plan to do any of the above in the next 12 months?                 | <input type="checkbox"/> Yes <input type="checkbox"/> No |        |
| If yes, please provide full details.   |  |        |

q) Is your firm accredited with the Law Society Conveyancing Quality Standard?  Yes    No

### 13. Personal injury (claimant)

a) Please advise your current personal injury work by percentage.

|   |         |   |
|---|---------|---|
| Clinical negligence   | _____   | % |
| Occupational disease  | _____   | % |
| All other personal injury (eg. RTA, employers'/public liability etc).         | _____   | % |
| How many open claimant personal injury cases does your firm currently have?   | _____   |   |
| What was your average personal injury settlement over the last twelve months? | £ _____ |   |
| What was your highest personal injury settlement over the last twelve months? | £ _____ |   |

b) Please estimate the percentage of personal injury work you currently have in each of the following categories:

|              |         |            |         |             |         |
|--------------|---------|------------|---------|-------------|---------|
| Small claims | _____ % | Fast track | _____ % | Multi track | _____ % |
|--------------|---------|------------|---------|-------------|---------|

Please estimate the number of personal injury cases you currently have where the expected settlement exceeds £250,000. Please state the number of fee earners in your firm who undertake or have undertaken personal injury work. \_\_\_\_\_

|                                   | Last completed year | Prior completed year (-1) | Prior completed year (-2) |
|-----------------------------------|---------------------|---------------------------|---------------------------|
| Principals                        | _____               | _____                     | _____                     |
| Solicitors (excluding Principals) | _____               | _____                     | _____                     |
| Other qualified fee earners       | _____               | _____                     | _____                     |
| Non-qualified fee earners         | _____               | _____                     | _____                     |

c) Have your files been audited or has an audit been proposed by any underwriters or funders?  Yes    No  
 If yes, please provide details, including copies of all correspondence relating to any audit or proposed audit.

d) Do you receive, or have you received, any time in the last three years, any commission or other financial incentives from any insurer?  Yes    No  
 If yes, please provide details.

## Personal injury (claimant) (continued)

- e) Do you use a particular provider for expert reports in more than 20% of your cases?  Yes  No  
If yes, please provide full details, including identity of provider, percentage of cases and background to the level of instructions.
- 

- f) How do you source your work?
- 

## 14. Risk management

- a) Do you currently provide or intend to provide “unbundled legal advice”?  Yes  No  
If yes, please provide details of the areas of practice and how you manage or intend to manage the client engagement process with regard to the scope of the retainer in these cases.
- 

- b) Are regular file audits undertaken in each department including Principals’ files?  Yes  No  
If yes, how many files are audited, how often and by whom?
- 

- c) Who is authorised to give undertakings on behalf of the firm and how are they recorded and monitored?
- 

- d) Who is entitled to authorise payment from the client account?
- 

- e) At what threshold are two signatures required to authorise payment from the client account?
- 

- f) Does the firm provide professional services for any client in which any Principal holds a partnership/directorship or has any other financial interest?  Yes  No  
If yes, are these services always carried out by a Principal/solicitor other than the Principal connected with the client?  Yes  No  
If no, please provide details.
-

## Risk management (continued)

g) In response to Mitchell and subsequent cases please explain how you ensure that all critical dates in the course of litigation are complied with including full details as to how your diary system operates and what audits or checks are undertaken to ensure it is being used effectively.

---

h) What measures has the firm put in place to ensure that all fee earners continue to undertake adequate and relevant professional training following the changes in existing CPD requirements to the new Competence Statement approach?

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i) Is there any further information relating to the risk management procedures or tools within your firm that you consider would be of interest to underwriters (eg Riliance (for regulatory management), Veyo or Completion Monitor (for conveyancing), Certainty (for wills))?

---

j) Do you encrypt electronic communications?

Yes  No

k) Do you outsource any information technology services (including data storage/cloud computing)?

Yes  No

If yes, please provide full details.

---

l) If you outsource any information technology services, do you have a written contract in place with any such third parties which will indemnify you for data security breaches?

Yes  No

m) How are "cyber" risks managed within the firm (i.e. who has responsibility for this; are there regular reviews/meetings between those involved)?

---

n) What training is given to staff regarding cyber risks and what they should do to minimise them?

---

o) Do you subscribe to anti-virus software which also detects, removes and protects against other forms of malware, including spyware and adware?

Yes  No

Please provide details of the software used and its functionality.

---

p) Do you have password policies and procedures in place that outline strong password requirements (e.g. change of password on a periodic basis, mixtures of alphanumeric and special characters, prohibition of previously used passwords)?

Yes  No

## 15. Financial Accounts

Please provide a copy of the annual accounts for the firm showing the last two complete financial years.

- a) Please confirm the total fees outstanding to your firm as at the date of this application. £ \_\_\_\_\_
- b) What percentage of this amount was billed more than 90 days ago? \_\_\_\_\_ %
- c) What is the total unbilled work in progress as at the date of this application? £ \_\_\_\_\_
- d) Does the firm currently have an overdraft facility?  Yes  No
- If yes,
- i) what is the balance owing as at the date of this application? £ \_\_\_\_\_
- ii) what is the limit of the facility? £ \_\_\_\_\_
- e) Does the firm have any loans or other borrowing from a third party?  Yes  No

If yes, how much was borrowed, what is the amount owing and for what purpose were the funds raised?

- f) Have Principals been required to provide personal guarantees in relation to any firm related loans and/or debts?  Yes  No
- If yes please provide full details.

- g) Has the firm given any undertaking or guarantees in respect of professional practice loans to Principals acquiring an interest in the firm?  Yes  No
- If yes please provide full details

- h) Please name the 3 highest fee-earners in the firm for the last 2 years, the fees billed by each, and area of practice.

| Last Completed Year |          |       | Completed Year -1 |          |       |
|---------------------|----------|-------|-------------------|----------|-------|
| Name                | Fees (£) | AOP   | Name              | Fees (£) | AOP   |
| 1. _____            | _____    | _____ | 1. _____          | _____    | _____ |
| 2. _____            | _____    | _____ | 2. _____          | _____    | _____ |
| 3. _____            | _____    | _____ | 3. _____          | _____    | _____ |



## 16. Current coverage

a) Has your firm, or any Prior Practice, ever been in the Assigned Risks Pool or the Extended Indemnity Period?

Yes  No

If yes, please provide full details.

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b) Has any Insurer refused to offer your firm, or any Prior Practice, terms for professional indemnity insurance?

Yes  No

If yes, please provide full details.

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c) Please provide details of your current insurance.

Current insurer

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Current broker

---

Premium £

---

Limit £

---

Excess £

---

Aggregate  Yes  No

## 17. Requested cover

The compulsory minimum level of cover required is £2 million for sole practitioners and partnerships or £3 million for LLPs and incorporated practices registered at Companies House.

**Limit of indemnity – please limit to a maximum of four choices**

£2 million    £3 million    £4 million    £5 million    £6 million    £7 million    £8 million  
 £9 million    £10 million

**Excess – please limit to a maximum of four choices**

Nil    £1,000    £3,000    £5,000    £10,000    £25,000  
 £50,000    £75,000    Other – please specify £ \_\_\_\_\_

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**Aggregate Excess** (please refer to definitions for details on this coverage)

Do you require a quotation for Aggregate Excess?    Yes    No    Include both options

## 18. Significant change

a) Is the firm planning any succession or merger with another practice within the next 12 months?

Yes  No

If yes, please provide full details.

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b) Is the firm considering becoming an Alternative Business Structure within the next 12 months?

Yes  No

If yes, please provide details of all proposals as currently known and include a copy of any application form and accompanying documentation that has been submitted to the SRA.

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c) Has there been any other significant change in your firm in the last year or do you expect any significant change in the coming year (for example, changes to areas of practice, number of fee earners, gross fees, opening or closure of branch offices or closure of your practice)?

Yes  No

If yes, please provide full details.

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## 19. Other material information

### Important notice

All material information must be disclosed as part of the proposal and before insurance commences. Material information includes any fact which we may reasonably wish to know in relation to our assessment of the risk, the exposure and in calculation of any appropriate premium. You must disclose all such information whether or not a specific question has been included in this application form.

Is there any other material information that may be relevant to this application?

Yes  No

If yes, please provide full details.

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## 20. Declaration

All personal data collected by Solicitorassist will be held in accordance with the Data Protection Act 1998. Solicitorassist will disclose this information to our service providers and agents for policy administration purposes. In addition, Solicitorassist may exchange information with other organisations such as the police, regulatory authorities and professional bodies by whose rules the insured is bound, through various databases to help us check information provided and to prevent fraudulent claims. By returning this form, you consent to the processing of personal data, including sensitive personal data, for these purposes and to Zurich Financial Lines transferring such information outside the European Economic Area where necessary.

When you provide information about another person, you are confirming that they have appointed you to act for them. Such persons will have been made aware of the purposes for data collection and processing set out above and have consented to such processing. You will receive, on their behalf, any data protection notices and keep them informed about how their data will be processed and where it may be disclosed.

**I declare that to the best of my knowledge or belief the particulars and statements given in this application and any other documentation and information provided in connection with this application are true and complete and this application, declaration, documentation and information will be the basis of the contract between the Insured and the Insurer. I declare that I have informed the Insurer of all facts which are likely to influence the Insurer in the acceptance or assessment of this insurance. I understand that failure to do so could invalidate this insurance. I accept that if I am in doubt whether any fact may influence the Insurer I should disclose it.**

Number of additional sheets included with this application \_\_\_\_\_

**This form must be signed by a Principal of the firm.**

|           |
|-----------|
| Signature |
|-----------|

Print name

\_\_\_\_\_

Date signed

|   |   |   |   |   |   |   |   |
|---|---|---|---|---|---|---|---|
| D | D | M | M | Y | Y | Y | Y |
|---|---|---|---|---|---|---|---|

## 21. Document checklist

**Please ensure that you have included the following documents:**

- This form; fully completed, signed and dated.
- Copies of the firm's accounts for the last two financial years.
- A sheet of your firm's current headed notepaper.

**And, if applicable, please provide the following:**

- If you are a newly established firm, a curriculum vitae for every Principal of the practice and your business plan and cash flow statement.
- Claims information for all Claims and Circumstances reported to Insurers or the Assigned Risks Pool, by your firm and any Prior Practice.
- Proof of run-off cover for any firm acquired or merged with that your firm is not a successor to.
- Application for licence as an Alternative Business Structure.
- A copy of all reports issued by the SRA, the former LCS/CSS, Forensic Investigation Unit, Legal Ombudsman, Disciplinary Tribunal and/or any regulatory body.
- Any information provided on separate sheets.

## **Solicitorassist**

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