MFL McParland Finn Ltd
INSURANCE BROKERS

Solicitors Professional Indemnity

Proposal Form

Once completed, please sign and return together with any additional sheets and attachments to:

Exclusively Endorsed By

Manchester Law Society
Instituted 1838 Incorporated 1871

McParland Finn Ltd
Barlow House
Minshull Street
Manchester
M1 3DZ

Tel: 0870 855 6440
Fax: 0870 855 6441

E: info@m-f-l.co.uk
W: www.m-f-l.co.uk/solicitors

Registered in England and Wales No. 2417700
Registered Office: Barlow House, Minshull Street, Manchester, M1 3DZ

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IMPORTANT NOTICE REGARDING COMPLETION OF THIS PROPOSAL FORM

1. Disclosure

- Any "material fact" must be disclosed to Insurers.
- A "material fact" is any information, which may affect the judgement of an Insurer in assessing a risk.
- Any "material change" must be disclosed to Insurers.
- A "material change" is any information which may affect the judgement of an Insurer or their perception of risk and exposure that has not previously been disclosed as a material fact.

(If you are unsure whether a fact or change is material or not, you should disclose it).

Failure to provide all "material facts" and/or notify all "material changes" may cause the contract of insurance to be void and may result in Insurers repudiating liability entirely.

2. Presentation

- This proposal form must be completed in ink by an authorised individual, a Partner/Principal/Member or Director of the Practice.
- **All** questions must be answered.
- If there is insufficient space to provide answers, additional information should be provided on the Practice's letter headed paper.
- Where available brochures, standard contract conditions, conditions, agreements and letters of appointment should be provided.

Failure to present Insurers with information in an appropriate manner may adversely influence the ability of Insurers to offer terms.

3. Guidance

- If in doubt as to the meaning of any question contained within this proposal form or the issues raised in (1) or (2) above, please contact an Account Executive at McParland Finn Limited.

PLEASE NOTE THAT KNOWING OR RECKLESS NON-DISCLOSURE &/OR MIS-REPRESENTATION OF ANY INFORMATION CONTAINED OR REQUESTED WITHIN THIS PROPOSAL FORM MAY BE REPORTED TO THE LAW SOCIETY.

FSA Risk Classification

As part of our FSA Compliance requirements, it is necessary to classify your risk as either Small or Large Commercial.

Did your Practice in the last financial year have two of the under noted features: YES ☐ NO ☐

i) Turnover of €12.8m or more

ii) Balance sheet of €6.2m or more

iii) Average number of staff – 250 or more

If **'YES'**, please confirm figures converted at £1 = € _____

DEFINITIONS

ADJUDICATION WORK
Defined as acting as a neutral third party engaged by disputing parties to provide a non-judicial resolution of their dispute which is, subject to the terms of any contract between the disputing parties, binding upon them, but excluding arbitration work.

AGENCY ADVOCACY WORK
Defined as all civil advocacy work, including attendance at a Court or Tribunal for the purpose of such advocacy, done on behalf of another insured Practice, but excluding any work done as a solicitor working as an agent or locum tenens in another Practice.

ARBITRATION WORK
Defined as any work done in the discharge or the purported discharge of the functions of an arbitrator in relation to an arbitration to which the Arbitrations Acts 1950-1996 apply.

CHILDREN WORK
Defined as applications made in relation to family proceedings as defined by section 8(3) of the Children Act 1989 and including Parts III and V of the Children Act 1989.

COMMERCIAL WORK INCLUDING ALL COMPANY WORK (SECURITIES RELATED)
This covers all work relating to securities in public limited companies, including initial public offerings, venture capital work and other corporate finance work.

COMMERCIAL WORK INCLUDING ALL COMPANY WORK (NON-SECURITITES RELATED)
This covers all commercial work, including private company share sales and acquisitions, which is not Financial Advice and Services or Commercial Work including All Company Work (securities related).

DEBT COLLECTION – SMALL
Defined as the collection of judgment debts of not more than £10,000 or debts without dispute as to liability of not more than £10,000, and the collection of rents not exceeding £7,500 per property per annum.

EMPLOYMENT WORK
Defined as all non-litigious work that excludes Tribunal work in connection with employment, termination, dismissal, redundancy, discrimination at work and pension rights affected thereby.

ESTATE AGENCY, PROPERTY VALUATION AND PROPERTY MANAGEMENT
Defined as property selling whether or not through an estate agency and informal valuations undertaken by the Practice.

EXPERT WITNESS WORK
Defined as work done in the capacity as an expert witness.

FINANCIAL ADVICE AND SERVICES REGULATED BY THE LAW SOCIETY
This covers all financial advice and services provided to private individuals, unincorporated bodies and companies where such work is regulated by The Law Society as a designated professional body under The Financial Services and Markets Act 2000. This does not include Commercial Work including All Company Work (securities related).

FINANCIAL ADVICE AND SERVICES WHERE YOUR PRACTICE HAS OPTED INTO REGULATION BY THE FINANCIAL SERVICES AUTHORITY
This covers financial advice and services provided to private individuals, unincorporated bodies and companies where such work is directly regulated by Financial Services Authority under the Financial Services and Markets Act 2000. This does not include Commercial Work including All Company Work (securities related).

IMMIGRATION WORK
Defined as advice and assistance on UK immigration and nationality law, including preparation for and representation before Immigration Adjudicators, Special Adjudicators, and any Tribunals or Courts of Justice up to but not including the Divisional Court, the Court of Justice of the European Union, the Commission on Human Rights of the Council of Europe, or the European Court of Human Rights.

LECTURING AND RELATED ACTIVITY WORK
Defined as 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, including the provision of written material for publication.

MEDIATION WORK
Defined as acting as a neutral third party engaged by disputing parties to assist them to resolve their dispute by negotiated agreement without resort to adjudication.

MENTAL HEALTH TRIBUNAL WORK
Defined as representation of patients detained under the Mental Health Act 1983 at hearings of the Mental Health Tribunal.

OFFICES AND APPOINTMENTS
As Clerks 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; Company Secretaries.

OVERSEAS WORK
Gross fees derived from work done overseas and/or work done in the UK but relating to instructions received from and/or fees paid by clients overseas.

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

SUCCESSOR PRACTICE
The definition of Successor Practice in the Law Society's Minimum Terms 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 discreet business", there is potential for the Successor Practice to take effect.

You may become a Successor by holding out your Practice "expressly or by implication" as being the successor of or by incorporating the other Practice(s), by taking on the majority of the principals in the other Practice as principals in your Practice, 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 Practice as a principal, or by taking on a sole practitioner as an employee after 31st August 2000.

If your Practice 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.

TOWN AND COUNTRY PLANNING
Includes compulsory purchase, listed buildings and conservation areas work.

UK WORK
Gross fees derived from work done in the UK for clients based in the UK including overseas contracts involving occasional trips abroad.

WELFARE WORK
Defined as advice and assistance about assessment of a client's entitlement to welfare benefits and for verifying an assessment by the Department of Social Security or other benefit granting bodies such as Local Authorities.

If you answer YES to any question or have insufficient space to answer any question, please provide additional details on your own HEADED notepaper.

GENERAL DETAILS

1. a) Title(s) of Practice(s): ______

Establishment date(s): ______ Law Society Registration No: ______

Please include all other names under which you Practice and any other entities for which you are seeking cover, including Trustee and/or Nominee Companies:

b) Is your Practice an Incorporated Practice/Limited Liability Partnership? Yes ☐ No ☐

c) Is your Practice considering or intending to incorporate or convert to a Limited Liability Partnership during the next 12 months? Yes ☐ No ☐

2. a) Please provide details of any prior Practice(s) and/or individual Partner(s) where you are deemed to be the Successor Practice *(please refer to Successor Practice definition)*:

Name of Practice(s)	Date established	Date of Succession	No. of Solicitors joining the Practice

b) Does your Practice's letterhead notepaper refer to any Practice other than your own or any prior Practice which you have disclosed in 2a)? Yes ☐ No ☐

3. a) Address of the principal office:

Postcode:

Telephone No:	Fax No:
Email:	Website:

b) Do you have any other branch offices *(including overseas offices)* for which you are seeking cover? Yes ☐ No ☐

If **'YES'**, please provide a schedule of these on your own HEADED notepaper.

4. Limit of Indemnity

a) Total limit required: £ or £ or £

b) Deductible &/or policy excess required: £ or £ or £

c) Do you require a quotation to delete or to reduce your deductible &/or policy excess? Yes ☐ No ☐

d) Are you a member of SIMIA? Yes ☐ No ☐

e) Please advise the following:

	Premium (excluding tax)	Limit	Current Insurer
Primary Insurance	£	£	
Excess layer insurance	£	£	
Deductible 'in-fill' insurance	£	£	

Fee payable to broker (if applicable): £

5. Have you ever been in the Assigned Risks Pool and/or has any Qualifying Insurer refused to offer your Practice terms for your Professional Indemnity Insurance? Yes ☐ No ☐

6. Have you ever been late in paying or failed to pay either a professional indemnity premium or policy excess? Yes ☐ No ☐

7. a) Annual gross fees for:

	Previous annual accounting period ended / /	Last annual accounting period ended / /	Estimate for next 12 months
UK	£	£	£
Overseas	£	£	£
Total	£	£	£

b) Does any one client or group of clients generate 20% or greater of your annual fees? Yes ☐ No ☐

c) Please indicate below fees derived from each overseas office. *(These figures are to be included within the 'overseas' figures in Question 7a)*:

Overseas Office(s)	Last annual accounting period ended / /	Estimate for next 12 months
	£	£
	£	£
	£	£

d) Gross fees for last accounting period relating to those fees paid by clients with a billing address in the USA, its territories & possessions and Canada: £

Please provide details of those clients and a brief description of the work undertaken on a separate sheet of HEADED notepaper.

e) Do you give foreign law advice? Yes ☐ No ☐

If **'YES'**, please state gross fees for last accounting period together with brief details of these activities on a separate sheet of HEADED notepaper. £

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8. USA/Canada

a) Does the Practice provide any USA/Canada law advice? Yes ☐ No ☐

If **'YES'**, please state gross fees for last accounting period together with brief details of these activities on a separate sheet of HEADED notepaper. £

b) Is/are the Practice(s) represented in any way in the USA or its territories and possessions, or Canada? Yes ☐ No ☐

If **'YES'**, please advise:

i) by a USA and/or Canadian local office? Yes ☐ No ☐

ii) by a local representative? Yes ☐ No ☐

iii) by any other person or concern who holds a power of attorney on your behalf? Yes ☐ No ☐

iv) by reciprocal client referral agreement? Yes ☐ No ☐

9. a) Are you expecting any significant change to or in your Practice during the next 12 months? Yes ☐ No ☐

c) Is there additional material information which you feel insurers should be aware of? Yes ☐ No ☐

If you answer YES to any question or have insufficient space to answer any question, please provide additional details on your own HEADED notepaper.

PARTNERS AND STAFF

1. a) Please advise the following where applicable:

	No. of Staff
Partners (including salaried partners held out as Partners):	
Assistant Solicitors (including qualified Consultants):	
Non Solicitor Fee Earning staff (including Fee Earning Trainees & Legal Executives):	
All other staff (including secretarial; excluding domestic, cleaning and catering staff):	
Total No. of Staff	

b) How many persons (total number of staff) are employed in your principal office? ☐

c) Please provide a list of all Partners, Members, Assistants & Consultants on a sheet of your headed notepaper with the following information:

Title, Name, DOB, Status (e.g. Partner, Member, Assistant, Consultant), Full/Part time, Roll No.
(*If anyone is a Registered Foreign Lawyer or Registered European Lawyer, please identify)*

d) Has any Fee Earner during the last 10 years:

i)	been refused a practising certificate or been granted a conditional practising certificate?	Yes ☐ No ☐
ii)	been the subject of costs, penalty order or reprimand by the Solicitors' Disciplinary Tribunal?	Yes ☐ No ☐
iii)	had an award for inadequate professional service made against him or her by the CCS (formerly the OSS)?	Yes ☐ No ☐
iv)	practised in a Practice that has been subject to an investigation, or intervention by any regulatory department of the Law Society including the OSS/CCS?	Yes ☐ No ☐
v)	been brought before the Solicitor's Disciplinary Tribunal, and/or been the subject of a notification to the OSS/CCS, having been charged with a serious arrestable offence?	Yes ☐ No ☐
vi)	been investigated by any other regulatory body other than the Law Society (e.g. FSA)?	Yes ☐ No ☐
vii)	or had a civil or criminal judgement (other than minor traffic offences) against him/her?	Yes ☐ No ☐
e)	Has your Practice been in correspondence with and/or received a formal visit from the Investigating Accountant of the OSS/Consumer Complaints Service or any other proper officer of the OSS/Consumer Complaints Service in the past ten years?	Yes ☐ No ☐

If you answer YES to any question or have insufficient space to answer any question, please provide additional details on your own HEADED notepaper.

DIVISION OF WORK

2. a) Please indicate the approximate percentage of your gross fees for the period representing your last full accounting year that the Practice(s) derive(s) from work where the main interest is:
(Definitions are detailed at the front of this proposal form)

Adjudication / Arbitration / Mediation	%
Agency Advocacy	%
Children Work, Mental Health Tribunal and Welfare	%
Commercial Litigation	%
Commercial (including company) – Non securities related	%
Commercial (including company) – Securities related – ***See note 1***	%
Conveyancing – Commercial	%
Conveyancing – Residential	%
Criminal	%
Debt Collection (Small)	%
Debt Collection (Large)	%
Defendant Litigation (Insurers)	%
Employment (Non Litigious)	%
Employment (Litigious)	%
Estate Agency, Property Valuation and Property Management	%
Expert Witness / Lecturing Work	%
Financial Advice & Services regulated by the Law Society -***See note 2***	%
Financial Advice & Services regulated by the FSA - ***See note 2***	%
Immigration	%
Intellectual Property including Patent, Trademark and Copyright -***See note 1***	%
Landlord / Tenant (Non Litigious)	%
Landlord / Tenant (Litigious)	%
Marine Litigation	%
Matrimonial	%
Oaths and Affidavits and Notary Public	%
Offices & Appointments	%
Parliamentary Agency	%
Personal Injury – Claimant	%
Personal Injury – Defendant	%
Probate and Estate Administration	%
Town & Country Planning	%
Wills, Trust and Tax Planning	**%**
All other Litigious Work ***– See note 3***	**%**
All other Non-Litigious ***– See note 3***	**%**
TOTAL	100%

Note 1 - Please provide brief details of work undertaken on a separate sheet of HEADED notepaper
Note 2 - Please complete the Financial Services Questionnaire
Note 3 - If percentage over 10% give breakdown on your own HEADED notepaper

b) **Specialisation**

i) Has your practice, or any prior practice, specialised by way of undertaking work for any specific type of business activity or for any specific type of group of clients? Yes ☐ No ☐

ii) Has your practice, or any prior practice, ever provided management services or investment advice to any entertainment clients or sporting professionals? Yes ☐ No ☐

iii) Has your practice or any prior practice ever undertaken work in relation to selling or advising on any mortgage endowment policies since 1st April 1991? Yes ☐ No ☐

iv) In the last twelve months, on how many occasions has your practice or any prior practice advised on any Home Income Plans or Equity Release Plans? Please State if None. ☐

c) **Group Litigation &/or Class Actions**

In the last six years, has your Practice or any prior Practice accepted instructions for any group litigation &/or class actions or other group litigation, where you have acted for the:

i) Defendant Yes ☐ No ☐

ii) Claimant Yes ☐ No ☐

d) **Mergers and Acquisition Work**

Do you undertake Mergers & Acquisition Work? Yes ☐ No ☐

If **'YES',** please confirm:

i) Gross fees for the period representing your last full accounting year £

ii) Highest deal value £

iii) Average typical value in last financial year £

e) **Claimant Personal Injury Work**

i) What is the typical average & largest personal injury claimant settlement during the last 12 months?

Average £ Largest £

ii) Approximately how many personal injury claimant cases has the firm dealt with during the last 12 months? ☐

e) Continued

iii) Approximately what percentage of claimant personal injury cases have been rejected by the firm during the last 12 months? %

iv) Please advise your claimant personal injury work by percentage:

Clinical Negligence	%	Class Action	%
Road Traffic Act	%	Employers/Public Liability	%
Occupational Disease	%	Other	%

v) Has the Practice received either an intimation or a formal claim arising from cases taken on by the Practice under either the TAG or Claims Direct schemes? Yes ☐ No ☐

If **'YES',** please confirm that such claims have been notified to the Practices professional indemnity insurers: Yes ☐ No ☐

vi) Is the Practice a member or ever been a member of any referral network, claims management or promotional group other than The Accident Group (TAG) or Claims Direct? Yes ☐ No ☐

If **'YES',** please provide a list of all organisations on your own HEADED notepaper.

f) **Conveyancing**

Please advise the following:

	Residential	Commercial
Approximate no. of transactions in last financial year	£	£
Highest capital value in last financial year	£	£
Average typical capital value in last financial year	£	£

If you answer NO to any question or have insufficient space to answer any question, please provide additional details on your own HEADED notepaper.

CLAIMS INFORMATION

1) During the last 6 years has your Practice or any prior Practice notified claims or circumstances to The Assigned Risks Pool or to any Qualifying Insurers? Yes ☐ No ☐

If **'YES',** please state number of claims or circumstances for each of the years:

	2000/ 01	2001 / 02	2002 / 03	2003 / 04	2004 / 05	2005 / 06	2006 / 07
No. of Claims/circumstances							

(NB. If none state **'NONE'**)

2) Are you aware, after full enquiry:

a) of any claims(s) having been made in the last six years against any Partner whilst in a previous Practices(s)? Yes ☐ No ☐

b) of any circumstances, allegations, contentions or shortcomings including any criticism or your work even though regarded by you as unjustified about any incident in the last six years, which has or may result in any claim being made against the Practice(s), or any Partner, either past or present, whilst they were in the Practice(s), or in any previous Practice(s), or any of the employees? Yes ☐ No ☐

If you have answered **'YES'** to questions i) and ii), a) or b), please provide full details on your own HEADED notepaper including your opinion on both liability and quantum.

c) of any circumstances, incidents or claims reported by you or any prior Practice in the past six years as a result of the dishonesty of any Partner or employee of the Practice(s)? Yes ☐ No ☐

If '**YES**', please provide details of all incidents including how the matter was resolved and the procedures in place to avoid re-occurrence.

*** Please attach a copy of your current SIF claims summary printout(s), for the Practice &/or any prior Practice(s), plus confirmed claims experience from all insurers for each policy period since 1 September 2000.**

3) a) After full enquiry are you aware of any claims &/or circumstances &/or shortcomings that you have not notified to your previous &/or current insurers ? Yes ☐ No ☐

b) Are there any matters notified by your Practice or any prior Practice(s) to SIF or Qualifying Insurers or the Assigned Risks Pool which have not been accepted as an effective notification? Yes ☐ No ☐

PLEASE NOTE THAT YOU ARE OBLIGED TO NOTIFY ALL SUCH MATTERS TO YOUR EXISTING INSURER UNTIL THE END OF THE PRESENT INDEMNITY PERIOD. FAILURE TO DO SO MAY ENTITLE INSURERS TO SEEK REIMBURSEMENT FROM YOU.

If you answer NO to any question or have insufficient space to answer any question, please provide additional details on your own HEADED notepaper.

RISK MANAGEMENT

1. a) Does the Practice have a formal risk management strategy? Yes ☐ No ☐

b) Does the Practice analyse &/or review its complaints and claims record on a regular basis? Yes ☐ No ☐

c) Does the Practice have a business continuity plan? Yes ☐ No ☐

2. a) Does each department require a standard risk assessment to be carried out relative to each new instruction? Yes ☐ No ☐

b) Before accepting a new instruction are all new clients vetted and agreed by a Partner or Department Head? Yes ☐ No ☐

c) Does the Practice always use Client Care Rule 15 letters, Retainer letters, Engagement letters? Yes ☐ No ☐

d) Does the Practice have a formal conflict search procedure in place when opening new files? Yes ☐ No ☐

3. a) Are regular file audits undertaken in each department including partner files? Yes ☐ No ☐

b) Are checklists used in the audit process? Yes ☐ No ☐

c) Is a partner present at all offices? Yes ☐ No ☐

4. a) Does the Practice operate a Firm wide diary system? Yes ☐ No ☐

b) Does the Practice have any procedures to ensure compliance with the diary system? Yes ☐ No ☐

c) Does the Practice have a formal file closure procedure in all departments? Yes ☐ No ☐

5. a) Does the Practice have an e-mail policy or any other formal guidelines for the use of emails? Yes ☐ No ☐

b) Does the Practice provide legal advice via its website? Yes ☐ No ☐

If **'YES',** please give details:

6. a) Please give details of any Accreditation Standards achieved and date of first accreditation.

LEXCEL ___/___/___ Investors In People ___/___/___ ISO 9000/01/02 ___/___/___

Other *(please specify)* ________ ___/___/___

b) If none, is the Practice considering applying for any of the above in the future? Yes ☐ No ☐

CHECKLIST AND ENCLOSURES REQUIRED

a)	Have you signed and dated Proposal Form and any Supplementary Questionnaire	Yes ☐	No ☐
b)	Have you attached current SIF Claims Summary Sheet(s) for your Practice and any Practice to which you are a Successor Practice?	Yes ☐	No ☐
c)	Have you attached a Schedule of all circumstances and claims notified to Insurers post 1st September 2000?	Yes ☐	No ☐
d)	Have you attached a sheet of your current HEADED notepaper, crossed "For McParland Finn Ltd"?	Yes ☐	No ☐
e)	Have you attached a list of Partners and Staff?	Yes ☐	No ☐

DECLARATION

By signing this proposal form you consent to McParland Finn Limited using the information we may hold about you for the purpose of providing insurance advice and where appropriate, assistance in relation to handling claims, if any, and to process sensitive personal data about you where this is necessary (for example criminal convictions). This may mean we have to give some details to third parties involved in providing insurance cover. These third parties may include insurance carriers, third-party claims adjusters, fraud detection and prevention services, reinsurance companies and insurance regulatory authorities. In the course of performing our obligation to you, this information may be disclosed to agents and service providers appointed by us, insurers, (which includes their re-insurers, legal advisers, loss adjustors or agents). Where such sensitive personal information relates to anyone other than you, you must obtain the explicit consent of the person to whom the information relates both to the disclosure of such information to us and its use by us as set out above. The information provided will be treated in confidence and, where relevant, in compliance with the Data Protection Act 1998. You have the right to apply for a copy of your information (for which we may charge a small fee) and to have any inaccuracies corrected.

I/We declare that the above statements and particulars are true, full enquiry having been made, and I/We have not omitted, suppressed or mis-stated any material facts which may be relevant to Insurers' consideration of this proposal form and undertake to inform the Insurer of any change to any material fact that occurs prior to the point at which the insurance contract has been agreed. I/We understand that the information I/We provide will be used in deciding the price charged by the Insurer for the risk and whether the Insurer will accept the application and the terms of any policy provided.

I understand that if my Practice acquires, merges with or absorbs another Practice during the period of insurance, insurers will require similar information in relation to that Practice and may charge an additional premium.

Print name:	
Signature: **(Partner/member)**	
On behalf of:	
Date:	

Please note, if you wish to submit your form via email, an indication of terms and conditions may be provided on the basis of this proposal form. An original signature is required before a contract of insurance can be made. Encrypted signatures are not acceptable.

Signing this form does not bind the Proposer to complete the insurance. We recommend that you should keep a record of all information supplied to us, including copies of letters and this proposal form, for the purpose of entering into this contract.

From time to time, we may disclose personal information (other than sensitive personal data) to other members of the MFL Group. We or they may use that information to advise you of our services which may be of interest to you. If you would prefer not to receive information, please contact an Account Executive at McParland Finn Limited.