

# Professional Indemnity

---

## Proposal Form

### Estate, Letting Agents & Property Managers

**Please complete the whole form to the best of your ability, clarifying any areas where necessary and continuing on a separate sheet if required.**

**A website, brochure or overview of the services you provide will assist underwriters**

**New start-ups: Please use estimated values for fees, work breakdown etc. Please also provide a current CV or full summary of relevant qualifications and experience.**

#### **Insurance Act 2015 - Proposal Forms for non-consumer contracts - Duty of fair presentation**

1. Before this insurance contract is entered into, the Insured must make a fair presentation of the risk to the Insurer, in accordance with Section 3 of the Insurance Act 2015. In summary, the Insured must:
  - a) Disclose to the Insurer every material circumstance which the Insured knows or ought to know. Failing that, the Insured must give the Insurer sufficient information to put a prudent insurer on notice that it needs to make further enquiries in order to reveal material circumstances. A matter is material if it would influence the judgement of a prudent insurer as to whether to accept the risk, or the terms of the insurance (including premium);
  - b) Make the disclosure in clause (1)(a) above in a reasonably clear and accessible way; and
  - c) Ensure that every material representation of fact is substantially correct, and that every material representation of expectation or belief is made in good faith.
2. For the purposes of clause (1)(a) above, the Insured is expected to know the following:
  - a) If the Insured is an individual, what is known to the individual and anybody who is responsible for arranging his or her insurance.
  - b) If the Insured is not an individual, what is known to anybody who is part of the Insured's senior management; or anybody who is responsible for arranging the Insured's insurance.
  - c) Whether the Insured is an individual or not, what should reasonably have been revealed by a reasonable search of information available to the Insured. The information may be held within the Insured's organisation, or by any third party (including but not limited to subsidiaries, affiliates, the broker, or any other person who will be covered under the insurance). If the Insured is insuring subsidiaries, affiliates or other parties, the Insurer expects that the Insured will have included them in its enquiries, and that the Insured will inform the Insurer if it has not done so. The reasonable search may be conducted by making enquiries or by any other means.

**Please return your completed form and any supporting documentation to:**

Email: [underwriting@collegiate.co.uk](mailto:underwriting@collegiate.co.uk)  
Fax: 020 7459 3455  
Post: 18 Mansell Street, London, E1 1FE

## ESTATE, LETTING AGENTS & PROPERTY MANAGERS

**1: Company name:**

**2: Contact details:**

Address:	Contact Name:
	Telephone:
Post code:	Fax:
	Email:
	Website:

Please provide similar details for any other companies or businesses (including associated or subsidiary companies) requiring cover under this insurance, below.

**3: Additional insured name and address:**

**NOTE:** Please note that you should answer all subsequent questions on this application form in relation to all parties to be insured under this policy

**4: Additional liabilities:**

Is cover required for anything other than work undertaken by the firm(s) identified above? This may include a predecessor in business or liability of one of your partners or principals relating to work undertaken elsewhere.

YES  NO

If YES, please provide details:

**5: Date business established:**

**6: Total income:**

	Last complete financial year	Current year	Estimate next year
UK work	£	£	£
Overseas work	£	£	£

For overseas work please state countries and applicable jurisdiction.

During the last financial year (estimate if new start-up)

Largest fee from any one client	Average fee from any one client
£	£

**7: Number of employees**

**8: Partner Directors**

Name	Qualifications (A CV will also assist underwriters)	No. of years experience

Please list all professional institutions the business is regulated by and/or a member of.

**9: Your business activity**

Please split your last completed financial year's income approximately between the following professional disciplines: If this proposal form is being completed on behalf of a new business, please split your estimated fee income for the forthcoming year.

i)	Estate Agency – residential	%
ii)	Estate Agency – commercial	%
iii)	Letting Agency - residential	%
iv)	Letting Agency - commercial	%
v)	Residential property Management	%
vi)	Commercial Property Management	%
vii)	Commercial Rent Review	%
	Highest annual rental review in the last year	£
viii)	Residential Rent Review	%
ix)	Investment & Development Agency <small>(an additional questionnaire will be required)</small>	%
x)	Agricultural Agency / Consultancy	%
xi)	Expert Witness	%
Xii)	Party wall / Schedules of dilapidations / Condition surveys	%
xiii)	Auctioneering – chattels/machinery/property	%
xiv)	Auctioneering - livestock	%
xv)	Auctioneering – fine art	%
xvi)	Energy Performance Certificates	%
xvii)	Home Information Pack production	%
xviii)	Building Surveying	
	a) Residential	%
	b) Commercial	%

**9: Your business activity - cont**

xix)	Survey & Valuation (a separate questionnaire will be required)	
	a) Home Condition Reports	%
	b) Homebuyers Reports	%
	c) Full Structural Surveys – no valuation	%
	d) Residential S&V – Lending	%
	e) Residential S&V – non-Lending	%
	What is the purpose of the non lending valuations	
	f) Commercial S&V - Lending	%
	g) Commercial S&V non-Lending	%
	What is the purpose of the non lending valuations	
xx)	Rating	%
xxi)	Building Society / Insurance commissions	%
xxii)	Mortgage Broking (a separate questionnaire will be required)	%
xxiii)	Other (please specify below)	
		%
<b>TOTAL</b>		<b>100%</b>

Do you comply and have you at all times in the past complied with the RICS Manual of Valuation Guidance Notes and the Statement of Asset Valuation Practice and Guidance Notes and the RICS Appraisal and Valuation Manual? YES  NO

Please describe your firms' area of specialisation or particular expertise and/or the target market you tend to offer your services to (if applicable)

**10: Sub-contractors**

Do you use sub-contractors? YES  NO

If YES:

a) What percentage of your fees are paid to them? %

b) What work do they carry out?

c) Do you ensure that they have their own PI insurance in force? YES  NO

**11: Property Management**

Where you act as a property manager, do you ensure that your retainer with the landlord specifies the extent of your responsibilities as to the management of asbestos?

YES  NO

Are you responsible for managing any residential block where the whole building is over 4 stories in height?

YES  NO

If YES please provide the following details;

How many such blocks do you manage? When was the last independent fire safety audit carried out for each of them? Or when is the next one scheduled? What if any issues did they identify?

--

**12: Ombudsman**

Does the firm abide by an ombudsman code of practice?

YES  NO

If NO please what measures are in place to protect client money?

--

**13: Financial Services**

Has the firm ever transacted any business regulated by the financial services act 1986 or the financial services and markets act 2000?

YES  NO

**14: Lending Valuations**

Has the firm even undertaken Valuations Lenders?

YES  NO

If YES and you no longer undertake this work, when did you cease undertaking valuations for lenders? Approximately how many were undertaken a year? Which lenders did you do this for?

**15: Previous Insurance**

Have you ever bought Professional Indemnity Insurance in the past?

YES  NO

If YES, please provide details:

Name of Insurer	Limit of indemnity	Excess	Premium	Renewal Date	Retroactive Date

**16: Required Insurance**

Please advise the limit of Indemnity now required together with your preferred excess.

Option	Limit	Excess
A	£	£
B	£	£

Please attach any additional information that may be relevant to underwriter consideration of the risk.

---

**17: Claims:**

Has any claim, whether successful or not been made against you or your predecessors in business or any past or present partner, principal, director or employee (whether previously insured or not)? YES  NO

In relation to your professional business activities, are you after reasonable enquiry aware of:

- a. Any matter which may lead to a claim against you.  
This includes:
  - i. a shortcoming or problem in your work known to you which you cannot reasonable put right; YES  NO
  - ii. a complaint about your work or anything you have supplied which cannot be immediately resolved; YES  NO
  - iii. an escalating level of complaint on a particular project; YES  NO
  - iv. a client withholding payment due to you after any complaint. YES  NO
- b. Any loss from the dishonesty of malice of any employee or self-employed freelancer. YES  NO
- c. Any loss from the suspected dishonesty or malice of any employee or self-employed freelancer. YES  NO
- d. Any matter which may give rise to a claim against your predecessors in business or any past director, officer, board member, senior manager or employee. YES  NO

If you answered YES to any of the above please provide details:  
In relation to your professional business activities, are you after reasonable enquiry aware of

**18: Principals**

Have you or any of your partners or directors at any time either personally or in any business capacity:

- a. been declared bankrupt or become insolvent or made any voluntary arrangement with creditors or been subject to enforcement of a judgment debt? YES  NO
- b. been a partner, a director or had a controlling interest in any company, firm or business entity which has entered into a voluntary arrangement with creditors or been subject to any application for liquidation, administration, receivership or to enforcement of a judgment debt? YES  NO

If the answer to a or b is YES please provide details on a separate sheet.

## DECLARATION

I/we declare that I/we have made a fair presentation of the risk, by disclosing all material matters which I/we know or ought to know or, failing that, by giving the Insurer sufficient information to put a prudent insurer on notice that it needs to make further enquiries in order to reveal material circumstances.

I/We undertake to inform you before any contract of insurance is concluded, if there is any material change to the information already provided or any new fact or matter arises which may be relevant to the consideration of our proposal for insurance.

Signature of Principal/Partner/Director

Date

Name \_\_\_\_\_  
(in capitals)

**A copy of this proposal should be retained for your records.**

### Marketing

*Collegiate would like the opportunity to send you relevant information which may be of interest to your business, including product and industry news. By ticking the boxes below, you are consenting to the use of your data for the purpose of marketing activities only. The data will be used only by Collegiate and will never be sold or passed onto third party companies for marketing purposes.*

*Please let us know if you would like us to contact you by any of the below means:*

*Yes, I would like to receive Marketing Communications by:*

Post  Email  Phone  SMS

*Your consent and preference options can be updated or withdrawn anytime by clicking the unsubscribe link on our communications*

### Data Protection

Collegiate Management Services Ltd (the Data Controller) are committed to protecting and respecting your privacy in accordance with the current Data Protection Legislation. Below is a summary of the main ways in which we process your personal data, for more information please visit our website at [www.collegiate.co.uk](http://www.collegiate.co.uk)

We may use the personal data we hold about you for the purposes of providing insurance, handling claims and any other related purposes, for offering renewal, research or statistical purposes and to provide you with information, products or services that you request from us or which we feel may interest you. We will also use your data to safeguard against fraud and money laundering and to meet our general legal or regulatory obligations.

We may disclose your personal data to third parties involved in providing products or services to us, or to service providers who perform services on our behalf. These include our group companies, affinity partners, brokers, agents, third party administrators, reinsurers, other insurance intermediaries, insurance reference bureaus, credit agencies, fraud detection agencies, loss adjusters, solicitors/barristers, accountants, regulatory authorities, and as may be required by law.

We may transfer your personal data to destinations outside the European Economic Area ("EEA"), and we will ensure that it is treated securely and in accordance with the Legislation.

You have the right to ask us not to process your data for marketing purposes, to see a copy of the personal information we hold about you, to have your data deleted (subject to certain exemptions), to have any inaccurate or misleading data corrected or deleted, to restrict processing, to ask us to provide a copy of your data to any controller and to lodge a complaint with the local data protection authority.

Your data will not be retained for longer than is necessary, and will be managed in accordance with our data retention policy. In most cases, the retention period will be for maximum period of 7 years following the expiry of our business relationship with you, unless we are required to retain the data for a longer period due to business, legal or regulatory requirements.