



## **Investment & Financial Advisers Proposal Form**

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Authorised and regulated by the Financial Conduct Authority  
Company registration No: 07965879

## **THE INSURANCE ACT AND THE DUTY OF FAIR PRESENTATION**

The Insurance Act provides clarity around what information a purchaser of insurance has to provide to the insurer, which of their staff is responsible for doing that and to whom they have to provide it. The new duty is now described as a 'duty of fair presentation', effectively requiring non-consumer policyholders to undertake a reasonable search of information available to them, and defining what a policyholder knows or ought to know. It is important to note that 'entering into an insurance contract' includes not only the main policy and each renewal of it, but any variations or amendments. Each time a contract is varied, the duty arises afresh in relation to that variation.

### **Fair Presentation and Material Circumstances**

Before the insurance policy takes effect you have a duty to make a fair presentation of the risk to be insured under the insurance policy.

A *fair presentation of the risk* is one:

- which;
  - a) discloses to the Insurer every material circumstance which the proposer knows of or ought to know of, or failing that;
  - b) disclosure which gives the Insurer sufficient information to put the Insurer on notice that it will need to make further enquiries for the purposes of revealing those material circumstances; or
- disclosure which would be reasonably clear and accessible to the Insurer;  
and;
- in which every material representation as to a matter of fact is substantially correct, and every material representation as to a matter of expectation or belief is made in good faith.

The proposal form will form the basis of a contract between you and the Insurer. Inaccuracies or misrepresentations could lead to the policy being voided, and/or a claim being refused. If you have any doubt whether particular information or a material circumstance is relevant to Insurer's ability to underwrite your application for insurance, you should declare the information as soon as possible. A *material circumstance* is one that would influence the Insurer's decision as to whether or not to agree to insure you. If you are in any doubt as to whether a circumstance is material, you should immediately disclose it to the Insurer.

### **Remedies**

Importantly, the Act introduces a new system of proportionate remedies where the duty to make a fair presentation has been breached. The ability to avoid will be retained in some cases where the insured breaches the duty to make a fair presentation in relation to disclosure/misrepresentation – see brief details below of how Remedies will apply.

#### **Remedies for Material Non-Disclosure or Misrepresentation**

Consequences of a deliberate or reckless breach may be:

- a) the insurer may avoid the contract and refuse all claims; and
- b) need not return any of the premiums paid

For example, an insured deliberately conceals known and material information from its presentation of the risk and does not even provide sufficient information to put the insurer on enquiry, making it an unfair presentation. This entitles avoidance but with no obligation to return premium.

#### **Proportionate Remedies; for non-deliberate or reckless breaches**

1. If the insurer would not have entered into the contract on any terms: the insurer may avoid the contract and refuse all claims but must in that event return the premiums paid.
2. If the insurer would have entered into the contract but on different terms (other than terms relating to the premium): the contract is to be treated as if it had been entered into on those different terms if the insurer so requires, even if the insured would never have accepted such terms.
3. In addition, if the insurer would have entered into the contract but would have charged a higher premium (whether the terms relating to matters other than the premium would have been the same or different): the insurer may reduce proportionately the amount to be paid on a claim.

In sub-paragraph (3) above, 'reduce proportionately' means that the insurer need only pay on the claim X% of what it would otherwise have been under the terms of the contract (or, if applicable, under the different terms provided for by virtue of paragraph 2, because 2 and 3 can apply together). The calculation is as follows:

$$X = \frac{\text{Premium actually charged}}{\text{Higher Premium}} \times 100$$

#### **Insurers Remedies for Fraudulent Claims**

The Act provides the insurer with clear statutory remedies when a policyholder submits a fraudulent claim. If a claim is tainted by fraud, the policyholder forfeits the whole claim, they cannot recover the part of the claim that would genuinely have been payable.

The Act also provides that the insurer may refuse any claim arising after the fraudulent act and can serve notice that it is treating the contract as terminated from the date the offence was committed. However, previous valid claims arising prior to the fraudulent act are unaffected.

The insurer need not return premium following notice of termination based upon the submission of a fraudulent claim.

**If you need further clarification on the Insurance Act 2015 please do not hesitate to contact your Broker.**

## Guide to Completing this Proposal Form

If this is the first time you (the proposer) have submitted a proposal form to The PI Desk please make sure you answer all questions fully leaving no blank spaces (if necessary comment as N/A, 'not applicable' or 'none'). If the form is not satisfactorily completed we will not provide any terms but may make further enquiries of you or will automatically decline.

If there is insufficient space to complete all answers, please continue at the end of the form or provide additional information on the firms headed paper. Providing as much information as possible will help underwriters to understand the business and enable Insurers to offer terms quickly. Failure to provide underwriters with relevant information in an appropriate manner may adversely influence the ability of Insurers to offer suitable terms.

The form must be signed and dated by a Director, Partner or Principal or an identified Officer of the proposing entity.

Insurance cover is not effective until the underwriters and/or Insurers have accepted a proposal form and any terms and payment method offered to the proposer have been accepted in writing.

If the proposer has not been trading for at least 3 years in this profession, please enclose CV's of all Directors, Partners and/or Principals. If the proposer is a new start-up please provide full details of past experience, qualifications along with the CV's.

Where available, email addresses, web site addresses, brochures, the proposer's standard contract conditions and/or agreements should be provided to assist the underwriting process.

### Claims and/or Claims Circumstances

If the proposing firm has received any complaint(s) or claim(s) or is aware of any circumstance(s) that may give rise to a claim please provide full details and forward a complaints/claims log in a durable format which has been fully completed; is up to date and which should incorporate all complaints/claims from inception of the business. Please also include any complaints/claims notified to any predecessor firm and/or whilst conducting business for or on behalf of any other firm.

Professional Indemnity (PI) policies respond on a claims-made basis, which means that cover is only provided for matters arising where Professional Indemnity Insurance is in force at the time of the notification of a complaint or claim to Insurers. Where a retroactive date is noted on the policy certificate/schedule, then no cover is provided for any matter arising from business conducted prior to the retroactive date. If a PI policy is allowed to lapse at renewal or mid-term due to unpaid premiums then cover is automatically cancelled and no cover is provided in any event.

Please note that Professional Indemnity Insurance schedules/certificates are issued as annual contracts and you cannot cancel the Insurance mid-term unless specifically agreed by Underwriters.

### New Business Start Up Venture

If this proposal form relates to a new business startup, please complete the questions by giving your best estimated information for your first year of trading. When estimating your projected fee income, we recommend that you provide a realistic estimate of what you think is achievable based on your business plan. If you exceed your projections the policy cover/limits can be amended.

### Retroactive Cover

It is very important that you provide details of any retroactive date applying to your business. Where a retroactive date is stated on your expiring policy schedule, this will be applied on the quotation document and thereafter the policy schedule. In this event, the policy will only provide indemnity for claims arising from activities/work declared to the Insurer and which has been undertaken on or after the retroactive date shown. It is your responsibility to ensure that there is no work or liabilities arising from work undertaken prior to the retroactive date which needs to be covered under your policy.

### Predecessor Companies and/or Partners, Principals Previous Businesses

If cover is required in respect of liabilities arising out of predecessor companies or any partners, principals previous businesses, please include full written details within the proposal form. If there is insufficient space to provide this information, please include an additional page, covering letter or email with full details.

### Limits of Indemnity

You must arrange and maintain a limit of indemnity that is adequate to meet any claims that may be brought against you both now and in the future. If you are subject to a minimum requirement by your professional body you must not take this as being adequate and the level of cover should meet the protection requirements of you and your business. We can provide quotations for any limit you request you will not accept any responsibility for the choice you make. If you are in any doubt as to what limit of indemnity will meet your business needs then please discuss this with your broker.

### Independent Consultants

If you use the services of independent self-employed consultants to provide professional services on your behalf, you must check that they are adequately qualified and that they hold their own Professional Indemnity Insurance that carries a limit of indemnity at least equal to your own. If they do not hold Professional Indemnity Insurance (or their own policy is inadequate) you can arrange to insure them under your own policy but this would be subject to full details of the appointed consultants and may be subject to additional premium being charged. Please include CV's including relevant qualifications of those individuals requiring cover.

**If you require any assistance in completing this form please contact your Insurance Broker in the first instance.**

**Please note that we will communicate with you preferably by email so please provide a valid and regularly used email address.**

## Submission / Contact Details

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Email the completed form to the Insurance Intermediary/Broker dealing with your Professional Indemnity Insurance

Alternatively if you are dealing with the PI Desk Ltd, email to: [enquiries@thepidesk.co.uk](mailto:enquiries@thepidesk.co.uk)

Fax to: 0114 242 2372 or

Post to: The PI Desk Ltd, Suite B, Sheffield Business Centre, Europa Link, Sheffield, South Yorkshire, S9 1XZ

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For all Underwriting queries call on: 0114 242 1176

Larger cases, claims or technical queries contact: [roger.crowther@thepidesk.co.uk](mailto:roger.crowther@thepidesk.co.uk)

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## Proposer Details

Name of Person dealing with this proposal:

1. Name of firm(s), partnership(s), individual(s) and any subsidiary companies to be included in this insurance (please List any predecessors in business for whom cover is required) Trading from/to

a:	
b:	
c:	
d:	

2. Main Office Address with post code (please include all current branches/trading addresses where appropriate)

Telephone:

Mobile:

Email Address:

Web Address:

3. Name of all Directors, Partners or Principals D.O.B. Qualifications Number of years with the firm

Name of all Directors, Partners or Principals	D.O.B.	Qualifications	Number of years with the firm

4. Please detail the number of:

a) Registered Individuals (including Self Employed Advisers and ASR's)

b) Paraplanners and other Technical Staff

c) Appointed Representatives

d) Dedicated Compliance Staff

e) Administrative & Secretarial Staff

5. (5.a) Please provide your FCA registration number

(5.b) Under what status do you trade

Independent

Restricted

(5.c) If the firm is not directly authorised please provide full details under what status the firm trades (e.g. Network Member or Appointed Representative etc)

## Compliance

6. Please provide the name, qualifications of the person responsible the firm's compliance.

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7. Does the firm employ the services of a Third Party Compliance Firm and/or outsource any of its compliance responsibilities? If **Yes** please provide the name of the Third Party Compliance Firm.  Yes  
 No

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How frequently does the Third Party Compliance Firm visit?

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What is the percentage of client files checked by your Compliance Firm?

%
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Does your appointed Compliance Firm deal with client complaints on your behalf?  Yes  
 No

How long has your Compliance Firm been appointed for?

Years
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8. Does the firm comply with the principles, rules and guidelines as set out by the Financial Conduct Authority and where applicable did the firm comply with the principles, rules and guidelines as set out by any previous regulator? (If **No** please provide full details in the space below or at the end of the form).  Yes  
 No

9. Has the firm ever had a visit by the FSA/FCA or any other regulator? If **Yes** please insert the date of the visit and provide a copy of their report. If the firm has not been visited please state N/A.

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10. Has the firm or any individual faced an investigation, disciplinary action or has its / their authorisation ever been suspended, withdrawn or declined by the Financial Conduct Authority or by any other regulator or trade body? (If **Yes** please provide full details in the space below or at the end of the form).  Yes  
 No

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11. Does the firm keep all client sales files and associated documentation indefinitely in a Durable & Reproducible format? (If **No** or if the firm has lost, destroyed or has no access to certain files please provide full details).  Yes  
 No

12. As part of the Firm's normal procedures for conducting business with clients, do all files demonstrate and contain without limitation, suitability letters, know your client questionnaires, product disclosure documents and risk warnings? (If **NO** please provide full details).  Yes  
 No

13. In the last 5 years has the firm conducted any Financial Promotions to 50 or more clients which promoted a particular product or products? (If **Yes** please provide full details).  Yes  
 No

14. Has the firm conducted any business with client based overseas?

Yes  
 No

15. Has the firm ever transacted business or advised on any product whilst operating as a member firm or Representative of a Mortgage, IFA or Investment Network? (If **Yes** please provide full details below).  Yes  
 No

Name of Network(s)	
Reason for leaving	

## Income

16. Please give the amount of known and projected Gross Incomes / Fees received for the 5 year period requested below and as shown in prepared accounts as well as an estimate for the current trading and the forthcoming year from all business conducted. If you are a new start up business show projected income for the next 12 months as per your

	<i>As at Year Ending - i.e. dd/mm/yy</i>	<i>Gross Income</i>
Gross projected Income for next financial year		£
Gross projected Income for the current trading year		£
Gross Income for the last complete financial year		£
Gross Income for the prior financial year 1		£
Gross Income for the prior financial year 2		£

### In respect of your last complete financial years income:

What was the percentage of income relating to Indemnity and Non-Indemnity Commission?	%
What was the percentage of income relating to Fees?	%
What was the percentage of income relating to Trail Commission or other income?	%

## Business Risk Details

17. Please give details of your business split as a percentage of the firm's total income received in the last complete financial year, or estimate (if this is a new start up) for the following activities. (Please ensure the total equals 100%)

<i>Category/Products</i>			<i>Percentage of Income</i>
a) Pensions Sales & Advice (Including Annuities)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	%
b) Pension Transfers from DB schemes	<input type="checkbox"/> Yes	<input type="checkbox"/> No	%
c) Pension Switches	<input type="checkbox"/> Yes	<input type="checkbox"/> No	%
d) Investment Sales & Advice	<input type="checkbox"/> Yes	<input type="checkbox"/> No	%
e) Mortgage Sales and Advice	<input type="checkbox"/> Yes	<input type="checkbox"/> No	%
f) General/Commercial Insurance Sales & Advice	<input type="checkbox"/> Yes	<input type="checkbox"/> No	%
g) Life & Protection Sales & Advice (inc Health)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
a. Group			%
b. Individual			%
h) Has the Firm re-brokered any CIC contracts or benefits	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
i) If yes, is there always an audit trail detailing the reasons for the re-broke together with confirmation that each client is aware of any reduced CIC definitions in the replacement policy and this is retained on file	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
j) Long Term Care	<input type="checkbox"/> Yes	<input type="checkbox"/> No	%
k) Other (Please provide details)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	%
<b>Total</b>			<b>100 %</b>

## Investment and Pension Advice

18. Please confirm whether any proposing entity has ever provided or intends to provide advice or services with regards to investment products (whether held directly or via a pension fund or wrapper) in any of the following or collective investments that have funds invested in or via the following:

Geared or Leveraged Investment	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Total Value £
Exchange Traded Products/Funds	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Total Value £
Pension Fund Management Services (inc SIPP Trustees)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Total Value £
Structured Products (other than Structured Deposits)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Total Value £
Hedge Funds	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Total Value £
Overseas Property Investments	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Total Value £
Discretionary Portfolio Management (in House)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Total Value £
Own Branded Collective Investment Funds	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Total Value £
Trade Life Policies/Traded Endowment Plans	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Total Value £
Viatical Settlements/Life Settlement Products	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Total Value £
Business Property Relief (BPR)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Total Value £
Tax Mitigation Schemes (Film Finance, VCT's, EZT's, EIS etc)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Total Value £
Unregulated Collective Investment Schemes or any other Unregulated Investments	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Total Value £
Investments in Tangibles	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Total Value £

19. Has the firm conducted any of the above investment products purely for Tax Avoidance/Mitigation purposes? If YES please provide a list of all products which should include initial and current values below or on the firms headed paper.

Yes  
 No     n/a

20. If YES to the above question can you confirm that this work was purely in respect of 100% Inheritance tax planning using mainstream products and that in all cases the relevant risk warnings were issued and signed off by the client with details held on file?

Yes  
 No     n/a

21. If YES to the above questions, can you confirm that the sale of the investment products/tax advice was undertaken only by suitably qualified persons and in all cases the relevant risk warnings were issued and signed off by the client with details held on file?

Yes  
 No     n/a

22. Has the Inland Revenue indicated that they intend to challenge the tax status of any investment product or tax mitigation scheme arranged by the firm, subsidiary companies or predecessors in business? If Yes please provide details below or on the firms headed paper.

Yes  
 No

23. Do you anticipate the firm will conduct any of the above investment products in the future? If yes please provide details of your target market and purpose based on current experience below or on the firms headed paper.

Yes  
 No

24. In relation to the above investment products, is the proposer, after full enquiry of all partners, directors, principals or employees, aware of any circumstances that could lead to a claim, been notified to the firm, notified to any subsidiary company or predecessor in business or notified to any past or present partner, principal, director or employee? If Yes please provide details below or on the firms headed paper.

Yes  
 No

25. Do you undertake any work for clients in the entertainment industry, for any person with celebrity status, for sports personalities, professional footballers or any Lloyds names? If Yes please provide a list/details specifically relating to **individual** investment sizes and current values below or on the firms headed paper.

Yes  
 No

26. Has the firm ever recommended that a client borrows money to invest irrespective of the purpose?  Yes  No

27. Has the firm EVER conducted or recommended Peer to Peer / Crowd Funding?  Yes  No

28. Has the firm EVER conducted or recommended Crypto Currency business?  Yes  No

29. Do you conduct any business with Foreign Nationals? (Irrespective of their domicile status)  Yes  No

30. If YES to the above question - - What % of your business is conducted with Foreign Nationals and what income is generated from this work

% \_\_\_\_\_  
£ \_\_\_\_\_

31. Does the firm have any clients domiciled in Russia, Belarus, Ukraine and any clients who are Russian, Belarusian or Ukrainian passport holders, and/or who are listed on the UK sanctions list and/or who are a 'Politically Exposed Person'.  Yes  No

32. Please respond to the following.

- a) Does any fee income derive from Russian Oligarchs?
- b) Does any fee income derive from property purchases by an offshore vehicle?
- c) Is there any current work in progress where the end product is situated in Russia, Ukraine or Belarus?  Yes  No
- d) Does the firm have any or deal with any offices / operations located in Belarus / Russia / Ukraine?

Investment Products or information in relation to Q18 to Q32 above



**33.** Please give the total number of investments currently held under management but excluding monthly paid investments and any pensions

Investment Band	Total value of Client Funds Invested	Number of investments Managed
Up to £100,000		
£100,001-£250,000		
£250,001-£500,000		
Over £500,000		
Over £1,000,000		

**34.** Has any advice or service EVER been provided with regards to any investment(s) or deposit(s) with or in securities issued by, or has the firm had any dealings directly or indirectly with any Financial Institution, fund or investment that is insolvent or is unlikely to be able to meet its obligations (including but not limited to Lehman Bros and Kaupthing Singer & Friedlander)? If **Yes** please provide details below at the end of the form or on the firms headed paper.  Yes  No

**35.** Has any advice or service EVER been provided with regards to any investment that has had new investment and/or redemptions suspended, had the assets re-valued or is insolvent (including but not limited to Arch Cru and Key data)? If **Yes** please provide details below or continue at the end of the form or the firms headed paper.  Yes  No

**36.** Has any advice or service EVER been provided with regards to any Financial Institution, fund or investment which is or has been under investigation by the police, SFO, FSA, FCA, SEC or other regulatory authority (including but not limited to Madoff investments)? If **Yes** please provide details below or on the firms headed paper.  Yes  No

**37.** In respect of all business conducted can you warrant that the firm only recommends products that suitably match a client's attitude to risk and that this is clearly documented on all files?  Yes  No

**38.** Does the firm transact any business on an execution only basis? (If **Yes** please provide details of the firms processes (including delivery of non-advised warnings) below or on the firms headed paper.  Yes  No

**39.** Has the firm ever transacted any investment business or advised on any investment product which is / was not regulated by the Financial Services Authority or Financial Conduct Authority or was subject to limited or no UK regulation? (If **Yes** please provide full details on a separate sheet).  Yes  No

**40.** If the firm receives instructions to surrender or partially encash any investment **by EMAIL**, does the firm always make direct contact with the client to substantiate that the requested surrender is a genuine request? (If **NO**, what procedures does the firm operate to prevent financial crime - please provide full details on a separate sheet).  Yes  No

**41.** Have any reviewable whole of life policies ever been arranged / advised upon? If yes please confirm the following:  Yes  No

a. The number of sales

policies

b. has the client always been made fully aware, in writing, of the potential for increased premium and/or loss of benefits at the review date?  Yes  No

c. what percentage of cases have been arranged on a maximum sum insured/lowest cost basis? %

d. in respect of all cases, was the availability of a fixed cost option investigated and, if available, were the reasons for discounting this retained on file?  Yes  No

## Pension Business

42. Please give the total number of pension fund/investments currently held under management

Investment Band	Total value of Client Pension Funds Invested	Number of Pension Funds Managed
Up to £250,000		
£250,001-£500,000		
£500,001-£1,00,000		
Over 1 million		
Largest Pension Fund		

Please state the number of transactions you have undertaken in each of the following years

	In the last 12 months	In the last 10 years	Largest Value	Average Value
Pension Transfers from Defined Benefit Schemes				
Pension Switches				
Income Drawdown				
Annuity Purchases				
QROPS/QNUPS				

43. If the firm has conducted or made recommendations in respect of Pension Transfers from Defined Benefit schemes does the firm undertake full risk management and confirm that suitability letters are sent out for each and every client with appropriate risk warnings relating to the possible underperformance of funds and this is held on file in a durable format indefinitely?  Yes  No  n/a

44. Does the firm, in all cases, obtain clients signed acceptance relating to transfers from defined benefit schemes irrespective of whether advice is given or not, or the whether the transfer is recommended or not or is conducting a non-advised/non-recommended transfer for an insistent client?  Yes  No  n/a

45. Very briefly, what would be the reasons that a transfer from defined benefits would be appropriate?  n/a as have not/will not conduct

46. Has the firm EVER dealt with introduced Defined Benefit Transfer Pension business? (i.e. introductions of DBT Pension business from firms or individuals without the relevant permissions).  Yes  No

47. If the firm does not hold the relevant permissions, has the firm EVER introduced Defined Benefit Transfer Pension business to other IFA firms holding the relevant regulatory permissions?  Yes  No

48. Does the firm anticipate that Transfers from Defined Benefit schemes will be conducted in the future? If YES please provide details below or at the end of the form  Yes  No

49. Please complete this question if any Proposing Firm has transacted/given advice in respect of Unsecured Pensions – please include Drawdown, Phased Retirement, 3rd Way products or Alternatively Secured Pensions, Flexi-Drawdown. If not, please put “not applicable”.

	Number of cases transacted where original fund value was less than £100,000	Number of cases transacted where original fund value was between £100,000 & £300,000	Number of cases transacted where original fund value was over £300,000	Largest original fund value	Number of Annuity cases transacted (excluding Phased Retirement Cases)
2011					
2012					
2013					
2014					
2015					
2016					
2017					
2018					
2019					
2020					
2021					
2022					
2023					

50. How many of the above cases took greater than 25% of the fund as a lump sum?

51. Were any of these transactions arranged on an “insistent” client basis?

Yes <input type="checkbox"/>	No <input type="checkbox"/>
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52. Were the taxation implications of taking greater than 25% of the fund as a lump sum discussed with, and illustrated to, all clients?

Yes <input type="checkbox"/>	No <input type="checkbox"/>
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53. Were the ramifications of taking greater than 25% of the fund as a lump sum on income in retirement discussed with and clearly illustrated to all clients?

Yes <input type="checkbox"/>	No <input type="checkbox"/>
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54. Has the firm ever advised a client to exercise a 100% maximum drawdown? If Yes please provide details below or on a separate sheet.

Yes <input type="checkbox"/>	No <input type="checkbox"/>
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55. Has the firm ever advised a client to invest more than 20% of their investments or pension portfolio into Property Funds? If Yes please provide full details below or on a separate sheet

Yes <input type="checkbox"/>	No <input type="checkbox"/>
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56. Have any QROPS been arranged for a client that has remained a UK resident after the transfer has been completed? If 'Yes', please provide details below  Yes  
 No

57. Has the proposer ever provided advice or services with regards to any Pension Unlocking, Pension Busting or any Pension Liberation scheme?  Yes  
 No

58. Has any business ever been transacted where the client has given up a Guaranteed Annuity Rate? If 'Yes', was the client always made aware, in writing, of?  Yes  
 No

- a. The value of the guaranteed benefit that they were relinquishing?  Yes  
 No
- b. The reasons why this guaranteed benefit was being relinquished?  Yes  
 No
- c. The potential downside, especially in view of lack of investment returns and worsening annuity rates?  Yes  
 No

59. Has the firm provided any services in establishing a SIPP where clients have invested into product(s) for which no advice or recommendation has been given (including introductions from third parties or a recommendation to a third party).  Yes  
 No

60. Has the firm provided any services in establishing/setting up/managing a SIPP to be used as a vehicle to invest in any Esoteric Investments, including but not limited to UCIS work, Tax Mitigation schemes, Overseas Property and/or for the purpose of providing Commercial Loans irrespective of whether the transaction was fully advised or not?  Yes  
 No

61. In respect of all pension business can you confirm that in all cases you hold a sales file which demonstrates that any pension transfer/switch was in the client's best interests and that all options were fully and properly investigated prior to the transfer/switch being completed? (Including but not limited to the completion of a Transfer Value Analysis (TVAS) or Appropriate Pension transfer Analysis (APTA) and/or Pension Switching Suitability Assessment forms). If **No** please provide details of the firms procedures at the end of the form.  Yes  
 No

62. Does the firm have ongoing procedures/checks in place to ensure that all the firms advisers/consultants investment and pension business files contain, for example, suitability letters, know your client questionnaires, product disclosure documents and adequate risk warnings, transfer/switching TVA's and/or assessment forms?  Yes  
 No

63. How does the firm deal with an **insistent** client in respect of any Pension business where the client wishes to take a course of action other than that the adviser recommends? -

## Mortgage Business

64. Does the firm undertake or has it ever undertaken any Mortgage and/or Loan business? - If **Yes** please continue to complete all questions below. (If **No** please go to next section).  Yes  
 No
- 
65. Can you confirm that all staff undertaking mortgage business hold the relevant/appropriate qualifications?  Yes  
 No
- 
66. Can you confirm that you are not aware of any occasion whereby clients have mis-represented their income on a Mortgage and/or Loan application and that it is the firm's standard practice to fully advise all clients of the consequences of giving false information?  Yes  
 No
- 
67. In respect of any Mortgage/Loan conducted, can you warrant that in all cases the firm has and always will carry out appropriate suitability/affordability/evidence of income checks and that this is clearly documented on every file? If **No** please state how such requirement is evidenced.  Yes  
 No
- 
68. In respect of any Interest Only Mortgages conducted, can you confirm that the firm has and always will warn clients of the danger of not making any regular and/or structured capital repayments and/or not making any provisions for the full repayment of the capital at the end of the mortgage term?  Yes  
 No
- 
69. In respect of any Interest Only Mortgages conducted, can you confirm that you hold all relevant documentation including but not limited to the fact find, reasons why/suitability letter, mortgage application, mortgage offer and that such documentation can be reproduced if and when required?  Yes  
 No
- 
70. In respect of any regular repayment mortgages arranged that extend into the clients retirement, can you warrant that the firm has and always will adequately assess the clients ability to make regular and/or structured capital payments after retirement and/or until the end of the mortgage term?  Yes  
 No
- 
71. If the firm has or is conducting unregulated Mortgage and Loan business (e.g. Residential Buy to Let, Commercial Mortgages, Bridging Finance and Secured Loans) can you warrant that the firm has installed and implemented a documented good practice and compliance procedure for all unregulated business (which is similar to that required for regulated business) when providing advice and throughout the sales process? If **No** please provide details below or at the end of the form how such business is monitored.  Yes  
 No
- 
72. Has the firm ever conducted any Equity Release business or Lifetime mortgage business? – If **Yes** please provide information below including number of cases with the average and the largest case size.  Yes  
 No
- 
73. Has the firm ever conducted any Sale & Rent Back (SARB) business? – If **Yes** please provide information below including number of cases with the average and the largest case size.  Yes  
 No
- 
74. Has the firm ever received any complaints and/or claims in relation to any Mortgage or Loan contract? – If **Yes** please provide information in the space below or on the supplementary sheet at the end of the form.  Yes  
 No
- 
75. Has the firm ever received any Date Subject Access Requests in relation to any Mortgage or Loan contract? – If **Yes** please provide information in the space below or on the supplementary sheet at the end of the form.  Yes  
 No

## Residential Interest Only Mortgage Business

Please complete the questions below if you have conducted any RESIDENTIAL INTEREST ONLY MORTGAGES since Inception of the Company.

76. How many Residential Interest Only Mortgages were arranged prior to 31 December 2012

77. How many Residential Interest Only Mortgages have been arranged since 31st December 2012

78. In all cases, have the reasons for the Residential mortgage being arranged on an Interest Only basis been fully and accurately documented, and held on file?

 Yes

 No

79. Has a fact find been signed & dated in all cases and does it contain detailed reasons for a Residential Interest Only Mortgage being selected?

 Yes

 No

80. Does every Residential Interest Only Mortgage file contain detailed evidence of how the Interest Only Mortgage will be repaid at the end of the term?

 Yes

 No

81. Have any Residential Interest Only Mortgages had the method of repayment of the loan declared and documented as 'SALE OF THE PROPERTY'?

 Yes

 No

82. Have all the relevant warnings been given that the 'SALE OF THE PROPERTY' may not repay the mortgage or loan due to unknown future circumstance - for instance, poor valuation, new flood area, subsidence or heave issues?

 Yes

 No

83. Has the advice and recommendation/suitability letter been signed and dated in all cases and is this retained on each file? If not does the client confirm they have received, read, and accepted the advisers recommendations?

 Yes

 No

84. Does every mortgage file contain an Interest Only Mortgage declaration signed & dated by the borrower or borrowers prior to inception of the mortgage contract?

 Yes

 No

85. If 'No' to any of the questions above please provide a full explanation including details of the systems & processes you have in place when conducting/arranging Interest Only Mortgages of continue on a separate page:

86. Have you ever received a Data Subject Access Request in relation to any Residential Interest Only Mortgage or any other Mortgage, Loan or Insurance Contract? If YES please provide full details on a separate sheet.

 Yes

 No

87. If YES – How many Subject Access Requests have been received?

## Equity Release, Home Reversion, Lifetime Mortgage or Home Purchase Plan Business

Please complete the questions below if you have conducted any Equity Release, Home Reversion, Lifetime Mortgage or Home Purchase Plan business since Inception of the Company.

88. How many Equity Release, Lifetime or Home Reversion transactions have been arranged since inception of the company?

89. How often does the Firm review its advisers against the firms Vulnerable Client policy and sign off training and competence in this respect?

90. During the factfinding, have or will all other means of raising the capital/income required by the client be fully investigated prior to making the recommendation to release capital from their property?

 Yes  
 No

91. Will full evidence of the use of funds released be fully detailed and where appropriate verified copies held of file? (For example, home improvements, cars, income, gifts to dependents, care planning etc.

 Yes  
 No

92. Are dependents and /or witnesses always involved in interviews – if not is a signed declaration obtained with the reasons that the client does not want family or witnesses are involved?

 Yes  
 No

93. Will the advice and recommendation/suitability letter be signed and dated in all cases and retained on each file for future reference?

 Yes  
 No

94. Does the Firm take account of the mental capacity of more vulnerable clients and report any suspicious activity – for instance, fraud or financial crime instigated by relatives or third parties?

 Yes  
 No

95. Can you confirm that every case is peer reviewed by a suitably qualified or compliance person and signed off prior to and post completion?

 Yes  
 No

96. Can you confirm that the firm does and/or will hold 100% of all files indefinitely in a durable and reproducible format?

 Yes  
 No

97. If 'No' to any of the questions above, please provide a full explanation including details of the systems & processes you have in place when conducting/arranging Interest Only Mortgages:

98. Have you ever given advice relating to funds being released for investment purposes of any kind - for investment into let property, purchasing a holiday home, timeshares, financial investments/pensions or other?

 Yes  
 No

99. Have you ever received a Data Subject Access Request in relation to any Home Reversion, Lifetime Mortgage or Home Purchase Contract? If YES please provide full details on a separate sheet.

 Yes  
 No

100. If YES – How many Subject Access Requests have been received?

## General & Commercial Insurance Business

**101.** Does the firm conduct General & Commercial business – if YES please insert the split of business below –  Yes  
 (If NO please go to next section)  No

• <i>Motor</i>	%
• <i>Household</i>	%
• <i>Other Personal Lines</i>	%
• <i>Commercial Property</i>	%
• <i>Liability including Personal Injury/Accident business</i>	%
• <i>Professional Indemnity</i>	%
• <i>Motor / Motor Fleet</i>	%
• <i>Commercial transport/Haulage</i>	%
• <i>Agriculture</i>	%
• <i>Bloodstock</i>	%
• <i>Medical Malpractice</i>	%
• <i>Marine</i>	%
• <i>Aviation</i>	%

a. What was the largest Commercial Property sum insured arranged in the last financial year?

£

b. What was the largest Liability case conducted in the last financial year?

£

**102.** In respect of any Commercial Insurance business conducted, does each member of staff conducting such business hold the appropriate qualifications or have at least 3 years relevant experience?  Yes  
 No

**103.** Does the firm operate any industry software to conduct its General and Commercial Insurance business? If **Yes** please provide details of system(s) used in the additional information space below.  Yes  
 No

**104.** If **No** does the firm operate a robust renewal and diary system with adequate controls to identify any failings when transacting and/or renewing all its Insurance business?  Yes  
 No

**105.** Does the firm have FCA permissions to hold client money in respect of General/Commercial Insurance business?  Yes  
 No

**106.** If **Yes** is client money kept in a separate statutory or non-statutory client trust account and where appropriate with the relevant trust deeds and co-mingling agreements in place?  Yes  
 No  n/a

**107.** Does the firm hold binding authorities for any class of Insurance business? If Yes please provide details below  Yes  
 No

Additional Information



**Professional Indemnity Insurance details - Leave blank if already insured with The PI Desk**

108.a) Has the firm previously been insured for professional indemnity?  Yes  No

Name of Current Insurer:

Limit of Indemnity:

Excess:

Premium (excluding IPT)

Start/Renewal Date:  Expiry date:

Retroactive date:  Is very important this date is disclosed – it can be found on your current insurers policy schedule

Please note if you are applying to The PI Desk for the first time it is important this section is completed for underwriting purposes  
Please answer as accurately as possible.

**Limit of Indemnity required for this PI Insurance Proposal**

109. What limit of indemnity does the firm require in relation to this proposal:

110. What Excess does the firm require in relation to this proposal:

111. Do you require a period of insurance greater than 12 months – if YES please advise :

112. Is the firm willing to take a higher than standard excess to reduce premiums?  Yes  No

113. If Yes, what excess is the firm prepared to carry in respect of each claim? (Please note that for any excess above £5,000 the FCA may expect you to hold additional resources to meet their capital adequacy requirements).  
*(in any event, Underwriters require a compulsory minimum excess which varies from proposal to proposal)*

Please state the higher excess required:

**Please state if you have any special coverage requirements**

## Complaints/Claims details

- a) Have any complaints or claims for any negligent act, error or omission been made against the firm, its predecessors in business or any present or past partners, principals, directors or employees? If YES please provide your fully completed complaints register from inception of the company
- Yes  
 No
- 
- b) Are any of the partners, directors, principals or employees, **after full enquiry of all areas of the proposer's business**, aware of any **circumstances** that may give rise to a claim against the firm, its predecessors in business or any present or past partner, principal, director or employee? This would include any expression of dissatisfaction and/or any Data Subject Access Request (DSAR) from any third party, Solicitor and/or Clams Management Company
- Yes  
 No
- 
- c) Has any previous insurer:
- i. Declined any proposal for this firm or any director / principal / partner?
- Yes  
 No
- 
- ii. Imposed special terms?
- Yes  
 No
- 
- iii. Cancelled any insurance?
- Yes  
 No

If **Yes** to any part of question e) i, ii, or iii, please give full details below or on the Supplementary sheet at the end of the form

d) If you have requested cover for any predecessor firms in section 1 which have had past complaints or claims, please list below and indicate/list any claims relating to that firm below or at the end of the form.

Name of Predecessor Company	Any Previous Claims	
	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input type="checkbox"/> Yes	<input type="checkbox"/> No

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## Notice to the Proposer

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### Data Protection

At The PI Desk Ltd we recognise our responsibility to treat your personal information with care and to comply with all relevant legislation. For full details please refer to our Privacy Notice which governs how we use and protect your personal information. The Privacy Notice will be provided with any quotation but in the meantime it is available on request or can be obtained from our website [www.thepidesk.co.uk](http://www.thepidesk.co.uk).

### Duty of Fair Presentation and Disclosure Material Circumstances:

Since an Insurance Contract is based upon the **Duty of Fair Presentation**, it is important that those seeking Insurance should provide full disclosure of any material circumstance to Insurers and that any changes to this information should be updated throughout the period of insurance. The Courts will find a circumstance to be 'material' where it would affect the judgement of a prudent Insurer as to whether or not to accept the risk at the particular terms offered. You are reminded that if you are in doubt whether or not any circumstance is material we recommend that you disclose the information to Insurers.

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## Declaration

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I hereby confirm that I am authorised to complete this proposal form on behalf of all parties entitled to coverage under this insurance and understand that signing this proposal form does not bind the Proposer or the Insurer to complete and/or enter into any binding contract of insurance.

I declare that all Principals, Partners and/or Directors have read, understood and agreed that all the statements and particulars given, including those answers written for me by any other person and that to the best of my/our knowledge and belief, the contents of this proposal form, all attached additional information and other particulars which have been given separately to Underwriters and/or Insurers by me or our agents are true and complete and that no material circumstances have been omitted, suppressed, misrepresented, or misstated.

I agree that this proposal form, any additional information supplied and this declaration shall be the basis of the contract between all parties entitled to coverage under this insurance and the Insurers and I undertake to pay the premium when asked to do so.

I undertake to inform the Insurers of the change to any material circumstance that occurs prior to the point at which this insurance contract has been agreed and/or prior to the inception of the policy.

I agree that Underwriters and/or the Insurers may contact any previous Insurers for further information and/or clarification if required.

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### Signed for and on behalf of the firm by:

Name

Position in firm

Signature

Date

N.B. APPLICATIONS MUST BE SIGNED WITHIN 30 DAYS OF THE PROPOSED START DATE AND CANNOT BE BACK DATED

***Please take a couple of minutes to check the information on the proposal form  
and always save a copy for your records***

**Supplementary Sheet - Details of any claims / potential claims (or send your complaints register)**

If easier please provide a copy of your complaints/claims register which should include any CMC file requests

Date notified	Details of claim / circumstance	Reserve and date set	Quantum (if reserve not known)	Payment and when paid	Open / Closed
	Claimant				
	Cause / alleged cause				
	Claimant				
	Cause / alleged cause				
	Claimant				
	Cause / alleged cause				
	Claimant				
	Cause / alleged cause				
	Claimant				
	Cause / alleged cause				



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**Supplementary Sheet – Additional Information**

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Please provide as much detail as possible when providing additional information