



Professional Indemnity Proposal Form

Mortgage Brokers

Presentation and Background Information

The proposal form is usually the main point of contact between you – the Insured - and us, - the Insurer. It is therefore important that the information contained in the form is expressed and presented to a high standard. Where there is insufficient space available, please use clearly marked appendices, indicating which questions they refer to.

If you are in any doubt whether information should be disclosed, please consult your broker or us if you do not have a broker.

Insurance Act 2015 – 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.

The Continuing Duty to Disclose

The duty to disclose material circumstances is not confined to completion of proposal forms at inception or renewal. If, during the period of insurance arranged there is any material alteration/change in the information disclosed in the proposal information, prompt disclosure to us is essential. This might include, but is not limited to:

- new partners, directors, corporate entities, partnerships or trading titles,
- any change in the areas of activity of the Insured Firm(s),
- the possibility of a claim being made against the Firm(s),
- any change in the trading status of the Firm(s), or membership of professional bodies, or regulatory status.

Failure to comply with these duties of disclosure may mean the policy will not respond to a claim, or may be avoided entirely.



1. Proposing Business/ Company requiring cover

- a) Starting with the main practice, please enter below the full names of any company/business requiring cover that are currently trading. If applicable, please also list any other trading styles.

Name	Date run-off required from

- b) Please provide the FCA authorisation number

- c) If the proposing company/business is acting as an Appointed Representative of a direct regulated firm or network, please provide the name of the principal firm.

- d) Main Office Address

Main Office Address	
Telephone number	
Email	
Website	

- e) Please state below the names of any past company/business including predecessors in business for which run-off cover is required.

Name	Period of Trading	
	From	To



f) Please tick the box to confirm that none of the above are limited companies that have been wound up or have no assets

g) Please provide the following details in respect of any current or past Appointed Representatives for which cover is required

Name	Location	Appointed	Terminated	Turnover

h) If any of the proposing entities operate on a Tied or Multi-Tied basis please provide the name of the product provider(s)

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2. Principals, Advisers and Staff

a) Please provide the following details of all Directors/Partners/Principals

Name	Age	Qualifications	Experience



b) Please provide the number of staff, other than the Directors/Partners/Principals named above, in the following categories

Employed Registered Individuals	
Self Employed Registered Individuals	
Mortgage or Protection Advisers	
Paraplanners and other Technical staff	
Administrative staff	

c) Please provide the number of individuals that have joined or left the business/company during the last 12 months in the following categories

	Leavers	Joiners
Employed Registered Individuals		
Self Employed Registered Individuals		
Mortgage or Protection Advisers		
Paraplanners and other Technical staff		
Administrative staff		

d) Please confirm that all advisers hold the necessary qualifications for the activities undertaken

Yes	No

3. Compliance and Regulation

a) Please provide details of how the Compliance Function is managed, if outsourced to a specialist provider then please provide the name

b) What proportion of new business files are checked before the recommendations are presented

c) What proportion of new business files are checked after any recommendations are presented

d) Please provide the location(s) of any individuals not based at the Main Office Address



e) Was each individual referred to above the subject of a Compliance Audit in the last 12 months

Yes	No

f) Please indicate whether any proposing company/business has received, or is in notice of a visit from a Regulator. If yes, please provide a copy of the report.

Yes	No

Visit Date

4. Business Activities

a) Please confirm the date of your last financial year end prior to the policy inception date

b) Please advise for the financial year-end identified in Q4(a) above and the previous 4 financial years (where applicable), the total gross brokerage/commission/fee income of all proposing companies/business, generated by all principals/employees/self-employed persons and appointed representatives

Last Complete Year	
Previous Financial Year	
Previous Financial Year	
Previous Financial Year	
Previous Financial Year	

c) Please advise/estimate for the current financial year the total gross brokerage /commission /fee income that all proposing companies/business currently expect to achieve

d) Please advise the percentage of total gross income in the last complete financial year derived from the advice/services provided with regards to the following categories

Full Status Residential Mortgages		%
Sub-Prime Residential Mortgages		%
Self-Certification Residential Mortgages		%
Buy to Let Mortgages		%
Commercial Mortgages		%
Second Charge Mortgages/Secured Loans		%
Unsecured Loans		%
Bridging Loans		%
*Equity Release/Home Reversion/Home Income Plans		%
Retirement Interest Only Mortgages		%
Non-Investment Life/Protection (including CI & PHI)		%
Private Medical Insurance		%
Buildings and Contents Insurance		%
Landlords Insurance		%
ASU/ASR		%
PPI		%
Other (please provide details below)		%
Total		%

* If any, please ask for and complete the Equity Release Questionnaire



e) Please provide the percentage of residential mortgages arranged in the following categories

First Time Buyers		%	Re-mortgages		%
Interest Only		%	Repayment		%

f) Please advise the percentage of gross total income in the last complete financial year derived from advice/services provided to clients domiciled overseas/outside the UK %

g) Please provide details below of the procedures used to establish the affordability of any mortgage arranged both during and after any initial discount period

h) Please confirm that all advice and/or services is provided with regards to UK properties

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

i) Please confirm that all advice and/or services is provided with regards to UK regulated Banks, lending institutions and/or Insurers

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

j) Have any of the proposing companies/business' for which cover is required ever arranged PPI?

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

k) Have any of the proposing companies/business' for which cover is required ever advised on Commercial Insurance?

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

l) Have any of the proposing companies/business' for which cover is required ever acted as a Mortgage Packager?

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

m) Have any of the proposing companies/business' for which cover is required ever arranged/provided advice with regards to self-certification mortgages?

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

If YES, is it standard practice to confirm to the Lender that the applicants stated income is correct?

What, if any, evidence of the stated income is retained on file?



n) Have any mortgages been arranged on behalf of any client with terms that extend past the client's planned retirement age?

Yes	No

If YES, please detail below how you determine affordability in retirement

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***UK mortgages only**

5. Claims and Circumstances

a) Please provide details below of any complaints, claims or **circumstances ever made** against any of the proposing companies/business'. Continue on an additional sheet and provide a Complaints Register.

Date	Summary (including transaction amount and whether claim is open or closed)	Amount Paid

b) Is any proposing company/business aware, after making appropriate enquiries with all principals, employees, self-employed persons and appointed representatives, of any circumstances (not stated above) which may result in any claims being made against the Proposing Entities currently trading, their predecessors in business or any of the present or past Directors/Partners/Principals?

Yes	No

c) Has any proposing company/business sustained any loss during the past ten years as a result of the fraud or dishonesty of any Director/Partner/Principal/employees/self-employed person?

Yes	No

d) Has any application for insurance on behalf of any proposing company/business or any of the present Directors/Partners/Principals or, to the knowledge of the proposing company/business, on behalf of their predecessors in business ever been declined or has any such insurance ever been cancelled or renewal refused?

Yes	No



6. Current insurance arrangements

(If you are currently Insured with Collegiate you do not need to complete this section)

Insurer	Renewal Date (If applicable)	Premium	Excess	Limit of Indemnity

7. 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 Director/Partner/Principal

Name

Date



Additional Information

A large, empty rectangular box with a thin black border, intended for providing additional information.



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

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.