

## Application supporting notes

Updated 18 August 2021

So that we can deal with your application as quickly as possible, we need you to complete an application form and send us your supporting evidence. This guidance is to help you complete the application form.

If you have any questions about completing the application form, please call our [Contact Centre](https://update.sra.org.uk/contactus/) [https://update.sra.org.uk/contactus/].

Please complete the application form electronically or otherwise using BLOCK CAPITALS.

You can find further information about the [SRA Compensation Fund](https://update.sra.org.uk/consumers/compensation-fund/compensation-fund/) [https://update.sra.org.uk/consumers/compensation-fund/compensation-fund/] and how it works.

You will need to tell us on the application form whether you have had your money stolen, whether the firm has failed to account for your money or whether the firm did not have insurance. This is important because the compensation fund can only consider an application if one of these has happened.

[Apply to the compensation fund](https://update.sra.org.uk/consumers/compensation-fund/application-process/?version=49ecc7)  
[https://update.sra.org.uk/consumers/compensation-fund/application-process/?version=49ecc7]

### Part 1 - Applicant's details

If you are making this application on your own, you only need to complete the section for Applicant 1.

If this is a joint application, the second applicant needs to complete the section for Applicant 2.

If you are making the application on behalf of someone else, please enter their details as Applicant 1 and provide your details in the relevant section below and state on what basis you are helping them. Please note we will need the applicant's signed authority for you to act on their behalf unless you have the legal power to act for them such as under a power of attorney.

Please note that we cannot make a payment to a person who is bankrupt or in an IVA. You will be asked to confirm whether this applies to you.

#### Applicant 1



1.1 Please state your title and your full name, including any middle name(s).

1.2 If you are making this application for an organisation, please state its full name.

1.3 Contact details:

Please state the full address including preferred contact **number and postcode. Include your full email** address and telephone numbers.

1.4 Please select your preferred method of communication. We will try to communicate with you by your preferred method wherever possible.

1.5 As explained above, you must tell us if you are bankrupt or in an IVA as this will affect whether you can apply to us.

## **Applicant 2**

1.6 Please state your title and your full name, including any middle name(s).

1.7 If you are making this application for an organisation, please state its full name.

1.8 Contact details:

Please state the full address including preferred contact number and postcode. Include your full email address and telephone numbers.

1.9 Please select your preferred method of communication. We will try to communicate with you by your preferred method wherever possible.

1.10 As explained above, you must tell us if you are bankrupt or in an IVA as this will affect whether you can apply to us.

## **Applying on behalf of an Applicant**

1.11 Please state your title and your full name.

1.12 If you are an organisation submitting this application, please state the organisation's name.

1.13 Contact details:

Please state the full address including house number and postcode. Provide your full email address and a contact number.



1.14 You need to tell us on what basis you are acting for the Applicant. Please tick the appropriate box. If you tick 'Other', provide details in the box provided.

### **Previous contact**

1.15 Have you contacted us before about this application? If so, you are likely to have a reference number that begins: ENQ/ or CFC/ or RGC- please provide us with the reference number.

## **Part 2 - Details of the law firm**

It is important that you give us full details about the law firm that your application relates to. This will help us to identify the firm from our records.

2.1 Please tell us the name of the law firm.

2.2 Please state the full address including postcode.

2.3 Please tell us the name of the person that you dealt with at the firm.

2.4 Please provide the reference number from the firm, if you have it.

## **Part 3 - Your application to the compensation fund**

3.1 We need to know how much you are applying for from the compensation fund. If you are unsure of the exact amount, please provide your best estimate. You can change the amount later as our investigation proceeds.

3.2 If you were a client of the firm, please tick 'yes'.

If you were not a client of the firm, please [read our guidance](https://update.sra.org.uk/consumers/compensation-fund/claims-process/1) [\[https://update.sra.org.uk/consumers/compensation-fund/claims-process/1\]](https://update.sra.org.uk/consumers/compensation-fund/claims-process/1), to see whether you can still make an application to our compensation fund. If you have read our guidance and think you can make an application to us, please tick 'No' and complete the box to tell us the reason for your application.

3.3 To help us to deal with your application, we need details about the work the law firm was doing for you. Please tick all boxes that apply.

To help you decide which type of work the law firm was doing for you here are some examples of the types of work we typically see:

**Conveyancing** - Buying and selling property. Transfer of ownership. Landlord and tenant queries.



**Family** – Divorce proceedings. Financial negotiations as part of the divorce. Child custody arrangements

**Probate** – Preparing Wills and/or Last Powers of Attorney. Administration of an Estate or Trust.

**Commercial Transaction** – Acting for a business in a matter with another business

**Civil litigation** – Acting for an applicant or defendant to civil court proceedings, for example breach of contract, property damage, claims to the small claims court

**Immigration** – Partner and family visas. Student visas. Human Rights and Discretionary Leave. British Citizenship. Indefinite Leave to Remain.

**Personal Injury** – Acting for an injured party to make a claim for damages for example after a car accident.

**Criminal Law** – Where the solicitor acted for a client in criminal law proceedings

This list is not exhaustive and if the firm was doing other work for you, please give us full details in the box provided

3.4 In addition to the type of work the firm was doing, we need further details about the actual work the firm was doing for you. The more information you provide, the better we will be able to help you. Please include:

- The date that you instructed the firm
- What work was completed
- What work remains outstanding

We will need evidence to support your application. Please see what evidence we need from you, below. This will explain what documents you need to send to us.

### **[Evidence to support your application](#)**

The lists below explain the evidence we need on each application and then some specific documents for different types of application. Please let us have the evidence listed to help us investigate your application. We only need copies of the documents listed – not the originals.

#### **For all applications**

- the initial letter from the solicitor to you (sometimes called a client care letter)



- explain what work the solicitor was doing for you
- details of any work which the solicitor did not complete
- your bank statement(s) showing payments you have made to, or received from, the solicitor
- the solicitor's bill

If you have your file from the solicitor or you have asked for this, please let us know. We do not need the file now but may need to review it in the future.

### **Application relates to the sale or purchase of a property**

- the completion statement sent to you by the solicitor

### **Application relates a deceased person property (Probate)**

- the Grant of Probate or Letters of Administration, if available
- the will
- any estate accounts received from the solicitor (this is a document summarising the assets and debts on an estate and the final amount to be paid to beneficiaries)

### **Application relates to money paid for solicitor's costs or to money received by the solicitor from a third party that is due to you**

- any correspondence with the solicitor about payments they made on your behalf

### **Application relates to damages due to you from a litigation claim**

- any correspondence with the solicitor about payments they made on your behalf or received from third parties which is due to you
- copies any agreements with the solicitor about their costs - for example, you may have entered into a Conditional Fee Agreement (CFA)

We may ask for more evidence when we have reviewed the information you send.

**If you have any questions or are unclear about anything above, please call us on 0121 820 2580.**

3.5 We need to know how much money you paid to the firm and why you made the payment.

You must provide evidence of the payments such as copies of your bank statements or receipts from the firm.



3.6 Please state the date of your loss (month/year). If your loss was more than 12 months ago, we may not consider your application unless there are good reasons to extend the time limit.

3.7 After you became aware of the loss, did you take any steps to recover the money directly from the firm? If so, what did you do?

3.8 We also need to know if you tried to recover your money from anywhere else. This could be a complaint to the Legal Ombudsman, a claim against the firm's indemnity insurers or by taking legal action.

3.9 Is anyone else entitled to the money you are applying for? Examples could be, a joint seller of a property, joint executors of an estate, a bank, a third party such as a barrister, expert or estate agent.

## **Part 4 - Details of your new solicitor, if you have one**

4.1 If you have had to appoint a new law firm to complete outstanding work you should tick 'yes'.

For example, if you purchased a house but payment of Stamp Duty Land Tax and registration at the Land Registry was outstanding. We need details of your new solicitor because we may need to contact them directly about your application.

4.2 Please tell us the name of the new law firm.

4.3 Please state the full address including postcode, email and phone number.

## **Part 5 - Identity check**

We need to confirm your identity to process your application. It may delay your application if you do not provide the required documentation.

The forms of identification we can accept are listed on the application form. If you do not have any of these, please contact us for assistance.

We will accept either electronic or physical copies of your identification documentation.

## **Part 6 - Declaration**

Before we can process your application, we need you to confirm that you have read and agree with the declaration. You can do this by ticking the box at the end of the declaration.

We will need you to sign the application form.

6.1 Applicant 1 must sign and complete the date here

6.2 Applicant 2 must sign and complete the date here

## **Part 7 - Equality, diversity and inclusion information**

The data will be used to assess the impact of changes to the compensation fund rules on consumers, law firms and the wider legal services market including the impact on equality, diversity and inclusion.

If you are completing the form by hand, the criteria we use for each section can be found below:

### **Criteria for handwritten forms**

#### **Age**

7.1 What age category are you in?

- 16-24
- 25-34
- 35-44
- 45-54
- 55-64
- 65+ Prefer not to say

#### **Sex/Gender**

7.2 What is your sex?

- Male
- Female
- Other preferred description
- Prefer not to say

7.3 Is your gender you identify with the same as the sex you were registered at birth?

- Yes
- No
- Prefer not to say

If you have entered no, please specify

#### **Disability**



7.4 Do you consider yourself to have a disability according to the definition in the Equality Act 2010?

- Yes
- No
- Prefer not to say

7.5 Are your day to day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months?

- Yes, limited a lot
- Yes, limited a little
- No
- Prefer not to say

## Ethnicity

7.6 What is your ethnicity?

- Asian / Asian British
  - Bangladeshi
  - Chinese
  - Indian
  - Pakistani
  - Any other Asian background
- Black / Black British
  - African
  - Caribbean
  - Any other Black background
- Mixed / multiple ethnic groups
  - White and Asian
  - White and Black African
  - White and Black Caribbean
  - Any other mixed/multiple ethnic background
- Other ethnic group
  - Arab
  - Any other ethnic group
- White
  - British/ English/ Welsh/ Northern Irish/ Scottish
  - Irish
  - Gypsy or Irish Traveller
  - Roma
  - Any other white background
- Prefer not to say



## **Religion**

7.7 What is your religion or belief?

- No religion or belief
- Buddhist
- Hindu
- Jewish
- Muslim
- Sikh
- Other
- Prefer not to say

## **Sexual orientation**

7.8 What is your sexual orientation?

- Bi
- Gay/Lesbian
- Heterosexual
- Other
- Prefer not to say

## **Caring responsibilities**

Do you look after or care for someone with long term physical or mental ill health caused by disability or age (not in a paid capacity)?

- No
- Yes, 1-19 hours a week
- Yes, 20-49 hours a week
- Yes, 50 or more hours a week
- Prefer not to say

7.10 Are you a primary carer for a child or children under 18?

- Yes
- No
- Prefer not to say

## **Socio Economic Background**

7.11 How would you describe your work?

- Higher managerial/administrative/professional
- Lower managerial/administrative/professional
- Intermediate occupations
- Small employers and own account workers
- Lower supervisory and technical



- Semi-routine occupations
- Routine occupations
- Never worked/long-term unemployed
- Retired
- Prefer not to say

## **Part 8 - Returning the form**

Please send your completed application by using the details provided on your application form

### **Checklist**

When you are ready to submit your application please make sure that you provide the following:

1. A correctly filled-in application form
2. Identification documentation
3. Evidence in support of your application
4. If you are applying on the behalf of someone else, their written, signed authority for you to act.