Professional Risks

Property Sourcing Agents Proposal Form



**Important Notice**

This proposal must be completed and signed by a principal, partner, director of the proposer/s. The person completing and signing the form should be authorised by the proposer to do so and should make all reasonable enquiries to enable all the questions to be answered. All questions must be answered to enable a quotation to be given. Completing and signing this proposal does not bind the proposers or insurers to enter a contract of insurance. If there is insufficient space to answer questions, please use an additional sheet and attach it to this form (please indicate section number).

Section A - Company Information

1. **Please provide the following details (including all trading names and subsidiaries):**

|  |  |
| --- | --- |
| Trading name | Date of establishment |
|  | |
|  | |
|  | |
| Website address | |

|  |  |
| --- | --- |
| 1. **Please provide contact details:** |  |
| * 1. Client Name |  |
| * 1. Client Email |  |
| * 1. Telephone Number |  |

1. **Address/es, including postcodes, for all subsidiaries:**

|  |  |
| --- | --- |
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1. **Please supply details of all principals, directors, partners:**

|  |  |  |
| --- | --- | --- |
| Name & Date/Year of Birth | Qualifications | How long with the company |
|  |  |  |
|  |  |  |
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1. **Please state total numbers of:**

|  |  |  |  |
| --- | --- | --- | --- |
| Principals, directors, partners | Q Qualified staff | Administration | Others |
|  |  |  |  |

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| --- | --- | --- | --- | --- | --- |
| 1. **Do you currently have a professional indemnity policy in place?** | | | | | 🞏 Yes 🞏 No |
| If **YES**, please provide:  Name of current insurers |  | | | | |
| Name of your broker |  | | | | |
| Renewal date |  | | | | |
| Limit of indemnity |  | | | | |
| Premium |  | | | | |
| Excess |  | | | | |
| Retroactive date |  | | | | |
| 1. **Please confirm Limit(s) of Indemnity required for Professional Indemnity Quotation(s) (multiple options** | | | | | |
| £250,000 🞏 | | £500,000 | £1 million | £2 million | |

1. **Please complete the following:**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 1. Financial year end date: / / 20 | | | |  | | |  |  |
| 1. Total turnover fee income **(if not yet trading please give estimated turnover for first year of trading)** | **Previous** | **Last complete** | **Current** | | | **Forthcoming year** | |  |
| £ £ | £ £ | £ £ | | | £ £ | |
| 1. Estimated percentage split of your fee income   for: Work carried out for UK clients | % | % | % | | | % | |
| 1. Work carried out for US / Canadian clients not subject to US / Canadian law | % | % | % | | | % | |
| 1. Work carried out for US / Canadian clients subject to US / Canadian law | % | % | % | | | % | |
| 1. Work carried out for clients anywhere else in the world – please give details of where | % | % | % | | | % | |
| 1. Do you enter into contracts that are not subject to UK / EU law? | | | | | 🞏 Yes 🞏 No | | |
| If **YES**, please provide details of which countries and jurisdiction: | | | | |  | | |
|  | | | | |  | | |  |

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| --- | --- |
| Section B - Professional Indemnity |  |
| 1. **Do you derive 50% or more of your income from commercial estate agency/commercial property management?** | Yes No |
| 1. **Have you ever undertaken or do you intend to undertake any survey and/or valuation work other than for the purpose of establishing a market value only?**   (N.B. Scheme Insurer cannot offer terms if “Yes” to question 2 – Terms are available, but Surveyors Proposal form required) | Yes No |
|  |  |
|  |  |
| 1. **Do you provide financial/investment advices?**   (N.B. Scheme Insurer cannot offer terms if “Yes” to question 3 - You may wish to contact Duncan Clark to discuss your insurance needs) | Yes No |
|  |  |
|  |  |
| 1. **Full Description of Activities, with percentage breakdown (estimated if no historical data)** |  |

|  |  |
| --- | --- |
|  | % |
|  | % |
|  | % |
|  | % |

|  |  |
| --- | --- |
| 1. **Are you suitably qualified, trained, experienced in the Lettings / Property Management Sector?** | Yes No |
| 1. **Are you fully conversant with HHSRS under the Housing Act 2004?** | Yes No |
| 1. **Are you a member of one of the following organisations (or in the process of becoming a member)?:** | |

|  |  |  |
| --- | --- | --- |
| Property Redress Scheme ☐ | Other (please state): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | |
| 1. **Confirmation there are suitable terms and conditions in place that are signed by their client?** | | Yes No |
| 1. **Do you undertake any work of a manual nature (such as installation, construction, alteration, conversion or repair work), either through your own direct employees or through any subcontractors engaged by you (for the avoidance of doubt, this does NOT include general property maintenance such as decoration, cleaning and general repairs but DOES include the type of work expected of a building tradesman or Contractor such as alteration to internal walls, plumbing, electrical or roofing works)?**   (N.B. If “Yes” scheme Insurer will require a Design and Construct proposal form completed and will consider terms open market.) | | Yes No |
| 1. **What are the average/largest property values which have been worked on (if new start please confirm expected values)** | |  |
| Average £ | Maximum £ | |

|  |
| --- |
| 1. **a) Have any claims in respect of the risks to which this form relates ever been made against the business or any of the Principals, Partners or Directors?** 🞏 Yes 🞏 No  **b)** **Are any of the Principals, Partners or Directors, AFTER FULL ENQUIRY, aware of any circumstance which might give rise to any such claim?** 🞏 Yes 🞏 No **c) Has any proposal in respect of the risks to which this form relates ever been declined or has any such insurance ever been cancelled or renewal refused?** 🞏 Yes 🞏 No |

Please read this paragraph carefully before signing the declaration

It is essential that every proposal, when seeking a quotation to take out or renew any insurance, discloses to the prospective Insurers all material facts and information (including all material circumstances) which might influence the judgement of an Insurer in deciding whether to accept the risk and on what terms. The obligation to provide this information continues up until the time that there is a completed contract of insurance. Failure to do so entitles the Insurers, if they so wish, to avoid the contract of insurance from inception and so enables them to repudiate liability thereunder. If you have any doubt as to what constitutes a material fact or circumstance please do not hesitate to ask for advice.

Declaration

On behalf of the proposer/s, I/we declare that, after full enquiry, the contents of this proposal are true and that I/we have not misstated, omitted or suppressed any material fact or information. If there is any material alteration to the facts and information which I/we have provided or any new material matter arises before the completion of the contract of insurance, I/we undertake to inform the Insurer.

Signature of principal / director / partner: ­­­­­­­

Date:

Only complete this section if terms for Public / Products & Employers Liability

Liability Questionnaire

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| --- | --- | --- |
|  | **Last completed  financial year** | **Estimated for  forthcoming year** |
| Turnover | **£** | **£** |
| Clerical / non-manual wage roll | **£** | **£** |
| Manual wage roll including payments to labour only subcontractors | **£** | **£** |
| Payments to bona fide subcontractors | **£** | **£** |

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| --- | --- |
| 1. **Do you manufacture any products or do you supply any products that are manufactured by others? (This is not applicable to IT Consultants or IT Contractors, unless the failure of the product to perform its intended function could result in loss of life, bodily injury or destruction of or damage to physical property)?** | 🞏 Yes 🞏 No |
| 1. **Do you work in or travel to any country that the FCO advises against travel to?** | 🞏 Yes 🞏 No |
| 1. **Are any of your employees ordinarily resident outside the UK?** | 🞏 Yes 🞏 No |
| 1. **If you carry out any work in the USA or Canada is this greater than 20% of your total fee income?** | 🞏 Yes 🞏 No |
| 1. **Do you have an office or incorporated entity in the USA or Canada that requires cover under this policy?** | 🞏 Yes 🞏 No |
| 1. **Do you have an overseas office outside the USA or Canada for which cover is required under this policy?** | 🞏 Yes 🞏 No |
| 1. **Have there been any Liability claims against you in the last 5 years or are you aware of incidents that have occurred that could give rise to a claim against you?** | 🞏 Yes 🞏 No |
| 1. **Is there any other information that you consider material to the insurance required?** | 🞏 Yes 🞏 No |
| If the answer to any of questions **2 – 9** is ‘**YES’**, please provide details below. |  |

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| --- |
| **If the Insured are responsible for any maintenance, repair, alteration or facilities management work, it is acceptable on the basis that all work is undertaken by BFSC’s and is limited to erecting for sale signs, moving furniture around, minor joinery work including putting together furniture, minor electrical repairs (such as changing plugs, light fixtures etc.), painting and decorating/wallpapering, light garden maintenance - Ex tree felling (i.e. watering plants, mowing grass, planting flowers etc.) and minor plumbing limited to changing bathroom/kitchen taps. If the Insured are responsible for any maintenance, repair, alteration or facilities management work and it does Not fit the scenarios above then please provide the following details:** |
| 1. Is the work undertaken by independent contractors (BFSCs), by direct employees of the Insured or by labour only subcontractors who are hired as and when required? |
|  |
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| 1. What manual activities (maintenance, repair, alteration or facilities management work) are being undertaken and who is undertaking these activities? (I.e. BFSC’s undertake plumbing, electrical repairs, carpeting and own employees may undertake some painting/decorating etc.) |
|  |
| 1. What type of properties are worked upon/managed? (i.e. domestic, commercial or industrial) |
|  |
| 1. Is any work being undertaken on structural components? |
| 🞏 Yes 🞏 No |
| 1. Is any plumbing work in multi stories or commercial premises? |
| 🞏 Yes 🞏 No |
| 1. Is any external work being undertaken at height? If so, to what heights? |
| 🞏 Yes 🞏 No |
| 1. Is any excavation/work at depth being undertaken? If so, to what depths? |
| 🞏 Yes 🞏 No |
| 1. Is any work involving the application of heat? |
| 🞏 Yes 🞏 No |

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| --- | --- | --- | --- | --- | --- | --- | --- |
| 1. **Please select which covers you require by ticking one of the following:** | | | | | | | |
| Public / Products Liability only | | | 🞏 | |  | |  |
| Public / Products & Employers Liability only | | | 🞏 | |  | |  |
| 1. **Please select the limit of cover you require for Public / Products Liability:** | | | | |  | |  |
| £1 million | £2 million | £5 million | | £10 million | | | |
| 🞏 | 🞏 | 🞏 | | 🞏 | |  | |

\*IMPORTANT: If Employers Liability is required, please provide your Employer Reference Number (ERN):

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Declaration

I/we declare that, after full enquiry, the contents of this proposal are true and that I/we have not misstated, omitted or suppressed any material fact or information. If there is any material alteration to the facts and information which I/we have provided or any new material matter arises before the completion of the contract of insurance, I/we undertake to inform the Insurers.

Signature of Principal or Director: ­­­­­­­

Date:

Additional information

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Data Protection Notice

Tokio Marine HCC respects your right to privacy. In our Privacy Notice (available at https://www.tmhcc.com/en/legal/privacy-policy) we explain who we are, how we collect, share and use personal information about you, and how you can exercise your privacy rights. If you have any questions or concerns about our use of your personal information, then please contact DPO@tmhcc.com.

We may collect your personal information such as name, email address, postal address, telephone number, gender and date of birth. We need the personal information to enter into and perform a contract with you. We retain personal information we collect from you where we have an ongoing legitimate business need to do so.

We may disclose your personal information to:

our group companies;

third party services providers and partners who provide data processing services to us or who otherwise process personal information for purposes that are described in our Privacy Notice or notified to you when we collect your personal information;

any competent law enforcement body, regulatory, government agency, court or other third party where we believe disclosure is necessary (i) as a matter of applicable law or regulation, (ii) to exercise, establish or defend our legal rights, or (iii) to protect your interests or those of any other person;

a potential buyer (and its agents and advisers) in connection with any proposed purchase, merger or acquisition of any part of our business, provided that we inform the buyer it must use your personal information only for the purposes disclosed in our Privacy Notice; or

any other person with your consent to the disclosure.

Your personal information may be transferred to, and processed in, countries other than the country in which you are resident. These countries may have data protection laws that are different to the laws of your country. We transfer data within the Tokio Marine group of companies by virtue of our Intra Group Data Transfer Agreement, which includes the EU Standard Contractual Clauses.

We use appropriate technical and organisational measures to protect the personal information that we collect and process about you. The measures we use are designed to provide a level of security appropriate to the risk of processing your personal information.

You are entitled to know what data is held on you and to make what is referred to as a **Data Subject Access Request (‘DSAR’)**. You are also entitled to request that your data be **corrected** in order that we hold accurate records. In certain circumstances, you have other data protection rights such as that of **requesting deletion, objecting to processing, restricting processing** and in some cases **requesting portability**. Further information on your rights is included in our Privacy Notice.

You can **opt-out of marketing communications** we send you at any time. You can exercise this right by clicking on the “unsubscribe” or “opt-out” link in the marketing e-mails we send you. Similarly, if we have collected and processed your personal information with your consent, then you can **withdraw your consent** at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your personal information conducted in reliance on lawful processing grounds other than consent. You have the **right to complain to a data protection authority** about our collection and use of your personal information.

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| **Contact Us**  Tel +44 (0)20 7702 4700 mail@tmhcc.com  tmhcc.com  Tokio Marine HCC is a trading name of HCC International Insurance Company plc, which is a member of the Tokio Marine HCC Group of Companies. HCC International Insurance Company plc is authorised by the Prudential Regulation Authority (PRA) and regulated by the UK Financial Conduct Authority (FCA) and Prudential Regulation Authority. Registered in England and Wales No. 01575839 with registered office at 1 Aldgate, London EC3N 1RE |