



HERA INDEMNITY

Property Professions Proposal Form

Including Surveyors, Estate Agents and Property Managers



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Important Notes

In this application:

“You / Your” refers to all firms to be insured under this arrangement, including any predecessor or previous business for which cover is required.

“Firm” means any business, whether a sole trader, partnership or company, limited in liability or otherwise.

“Principal” means any Director, Partner, Member or Sole Trader.

“Senior Management” includes all individuals who play significant roles in the making of decisions about how Your activities are to be managed or organised.

“Fair Presentation” means a presentation that:

- Clearly discloses every material circumstance that is known or ought to be known by Your Senior Management and those persons responsible for Your insurance or which is sufficient to prompt the insurer/s to ask appropriate questions. A circumstance is material if it would influence an insurer’s judgement in determining whether to take the risk and, if so, on what terms.
- Discloses information in a manner that is reasonably clear and accessible; “data dumping” of large quantities of information with important matters hard to identify amongst the volume would not fulfil this requirement.
- Contains statements and facts that are true, accurate and given after undertaking a reasonable search, including consulting with Senior Management and those persons responsible for Your insurance.

“Hera Indemnity” means Hera Indemnity, a trading name of Advisory Insurance Brokers Limited.

“Data Protection Legislation” means the Data Protection Act 2018, or, from the date it comes into force in the UK, the General Data Protection Regulation (EU) 2016/679 and any other applicable laws relating to the protection of personal data and the privacy of individuals (all as amended, updated or re-enacted from time to time).

“Data Subject”, “Personal Data”, “Controller” and “Processor” each have the meaning given to them in the Data Protection Legislation.

Fair Presentation

It is important that you tell us everything about you and what you want to insure, including any specific concerns that led you to seek cover.

The law requires that you make a “fair presentation” of the risk to insurers. To do this you need to undertake a reasonable search for and disclose all information that may be material to the insurance, including by making specific enquiries of Partners, Directors and Senior Management involved in the business and its subsidiaries and other people inside and outside your organisation who may have material information, and to answer all the questions we ask you accurately and to the best of your knowledge and ability.

You must tell us of anything that may be relevant or important for insurers to know so that they can make decisions on whether to offer cover, the type of cover to offer, the terms to be applied and the required premium. If you don’t do this and a relevant piece of information is missed then your cover may be prejudiced or become void, you may be charged a higher premium or have claims reduced or not paid at all.

By way of example only, you should inform us of the following:

- The financial history of the proposer (including senior management and those involved in arranging the insurances), director or partner of the business (including any subsidiaries) – personally or in any business capacity. Areas to disclose include prior convictions (excluding motoring convictions and those spent under the Rehabilitation of Offenders Act), bankruptcy/liquidations/voluntary arrangements, previously had an insurance policy voided/cancelled/declined, County Court Judgements (or Scottish equivalent)
- Any different, special or any unusual aspects of your business activities in comparison to what would be considered ‘typical’ for your trade, business or profession.
- If anything changes from what you have previously advised to us

If you are in any doubt or need further information, please tell us or speak to your usual contacts.

Fair Processing Notice

Hera Indemnity is a trading name of Advisory Insurance Brokers Limited, who are the data controller for the personal information you provide. We are committed to keeping your information safe and secure. We will use your personal information to communicate with you and to provide you with the products and services you have requested or are of interest. We also share information with other companies including insurers and finance companies to assess and obtain the quotes and covers you have requested. We will also share information with other organisations where we need to do so by law. Our Fair Processing Notice can be found here www.towergateinsurance.co.uk/fpn/fair-processing-notice-directory. This explains in more detail how we use and share your personal information.

1. Please provide full trading names of all Firms to be insured under this arrangement (You/Your):

Name (s)	Date Established

2. Please provide Your website address:

3. Please provide all addresses:

4. If cover is required for Your previous business (predecessor practices), please provide full details below:

Name (s)	Start Date	End Date	Reason for winding up/leaving

5. If any of the Principals require cover for any previous professional business activity not covered elsewhere, please provide details below:

Name of Principal to be covered						
Name of previous Firm						
Period at previous Firm	From:		From:		From:	
	To:		To:		To:	
Fees for last 3 years of trading	Year	Total	Year	Total	Year	Total
	Total:		Total:		Total:	
Position held at previous Firm						
Reason for leaving						

6. Do You have any association with or financial interest in any other Firm? Yes No

If YES, please provide full details below of the nature of the association and the name and business of the third party:

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7. Please supply details of all Principals:

Name	Age	Qualifications	Date Qualified	Date of Engagement

8. Please supply details of total numbers of staff:

Principals	Qualified Staff	Unqualified Staff	Others

9. Has any Principal ever been convicted of a criminal offence or are any charges/prosecutions pending (excluding minor motoring offences), or been investigated/reprimanded/disqualified by their professional body?

Yes No

If YES, please provide full details below:

10. Please provide full details if any Principal has been made personally bankrupt or has been associated with any business which has ceased trading, either voluntarily or compulsorily:

11. Please provide details of Your current Professional Indemnity insurance arrangements below:

Current Insurer	
Current Broker	
Policy Renewal Date	
Limit of Indemnity	
Excess	
Premium	
If You currently have Professional Indemnity coverage in force, please advise the retroactive date, if any:	
Date	

12. Please provide a breakdown of turnover/fees generated for each of the last 5 financial years and an estimate for the current/next financial year.

					Last Complete Year	N/Y Estimate
Year End	/ /	/ /	/ /	/ /	/ /	/ /
Work in UK						
Work in EU						
Work in USA/ Canada						
Work Elsewhere						
Total						

13. Please provide a breakdown of Your activities and percentage of income generated for each discipline:

Quantity Surveying	%
Building Surveying	%
Residential Estate Agency/Letting Agency	%
Commercial Estate Agency	%
Residential Property Management	%
Commercial Property/Land Management	%
Rent Reviews/Lease Renewals	%
Land Surveying/Setting Out	%
Planning & Development Consultancy	%
Project Co-ordination	%
Project Management	%
Architecture	%
Residential Surveys/Valuations for lending purposes	%
Other Residential Surveys & Valuations	%
Commercial Surveys/Valuations for lending purposes	%
Other Commercial Surveys & Valuations	%
General Insurance Business	%
Environmental	%
Other (please provide full details below)	%
Total	100%

14. If You have declared any fees for Quantity Surveying, Project Co-ordination, Project Management, Architecture or any other construction management/administration role, please provide details of Your 5 largest contracts that have been completed in the last 6 years:

Client	Start Date	Description of Work	Total Contract Value	Your Contract Fee	Estimated Completion Date
			£		
			£		
			£		
			£		
			£		

15. If You have declared any fees for Quantity Surveying, Project Co-ordination, Project Management, Architecture or any other construction management/administration role, please provide details of Your 5 largest contracts currently in hand:

Client	Start Date	Description of Work	Total Contract Value	Your Contract Fee	Estimated Completion Date
			£		
			£		
			£		
			£		
			£		

16. Please provide details of Your largest and average valuations if You have undertaken work in any of the following disciplines:

Discipline	Highest Valuation	Average Valuation
Commercial Estate Agency		
Residential Estate Agency		
Auctioneering		
Non-lending residential valuations		
Non-lending commercial valuations		
Commercial Rent Reviews		

17. Do all cheques drawn for over £5,000 require at least two signatures Yes No
18. Are bank statements, receipts, counterfoils and other supporting documents checked at a minimum monthly against the cash book entries, and by others not responsible daily for looking after the same? Yes No
19. Is cash in hand and petty cash checked independently of the person responsible at least monthly and additionally without warning at least every six months? Yes No
20. Have You ever undertaken any work which involves contaminated or polluted land or property? Yes No
21. Have You ever provided advice on whether land or property might be contaminated or polluted? Yes No

If YES, please provide full details below:

22. Do You engage the services of sub-contractors? Yes No

If YES, please provide answers to the following, otherwise skip to the next question.

What percentage of fees/turnover was paid to sub-contractors during the last financial year? _____ %

Do You always require Your sub-contractors to hold their own Professional Indemnity coverage and verify that it is in force? Yes No

If YES, please confirm the minimum limit You require them to maintain: £ _____

23. Do you undertake projects where the work is outside the United Kingdom?

Yes No

If YES, please provide details of 3 largest projects below.

Country	Client	Start Date	Description of Work	Total Contract Value	Your Contract Value	Estimated Completion Date
				£		
				£		
				£		

24. Have You at any time entered into a contract that is subject to the law of countries other than the United Kingdom?

Yes No

If YES, please give full details below.

Country	Client	Start Date	Description of Work	Total Contract Value	Your Contract Value	Estimated Completion Date
				£		
				£		
				£		

25. In respect of quantity surveying, project management, project co-ordination, building surveying and architecture, are all current projects on time and within budget and have all projects undertaken within the last 2 years been completed on time and within the agreed budget?

Yes No

If NO, please give full details below.

26. Have You at all times used written agreements for each contract undertaken which clearly outline the services to be provided and have all changes always been confirmed in writing?

Yes No

If NO, please give full details below.

27. Other than by Sub-contracting, have You ever entered into contracts where You may incur liability for the services provided by others (such as a consortium involving joint and several liability)?

Yes No

If YES, please provide full details below:

28. Have You ever entered into contracts on behalf of clients

Yes No

If YES, is written sign off for the contract terms always obtained from Your client prior to doing so?

Yes No

29. Please select the Limit of Liability You require quotations for:

£250,000	£2,000,000
£500,000	£3,000,000
£1,000,000	£5,000,000
Other Limit of Liability	

30. What level of excess do You require?

31. Has any claim been made or loss suffered by You, whether insured or not, in respect of any of the risks to which this proposal for insurance relates?

Yes No

If YES, please provide details below.

Date of Claim/Loss	Details of Claim/Loss	Amount Paid	Date Settled	Outstanding Reserve
		£		£
		£		£
		£		£
		£		£
		£		£

32. Are You aware of any of the following?

Any circumstances which might lead to claim against You, whether insured or not, in respect of any of the risks to which this proposal for insurance relates?

Yes No

Any matter which might otherwise affect the consideration of this proposal?

Yes No

Has any application for similar insurance made on Your behalf or on behalf of any past or present Principal ever been declined, refused renewal, cancelled or accepted only on special terms?

Yes No

If YES to any of the above, please provide full details here:

Declaration

I, being a signatory to this form, declare that the information in this form, together with any other information, is a Fair Presentation. If the proposer is an organisation such as a company or Limited Liability Partnership, I make the declaration for and on behalf of the organisation (and I declare that I am duly authorised to do so).

If there is any material alteration to the facts and information which I have provided or any new material matter arises before the completion of the contract of insurance, I undertake to inform Underwriters.

Signed:

Printed Name:

Date:



**Specialist.
Professional.
Just like you.**

What information do we collect?

To enable us to provide you with the right product or service to meet your needs (or to handle a claim) we will collect personal information which may include your name, telephone number, email address, postal address, occupation, date of birth, additional details of risks related to your enquiry or product and payment details (including bank account number and sort code).

We may need to request and collect sensitive personal information such as details of convictions or medical history for us to provide you with the product or service or to process a claim.

We only collect and process sensitive personal data where it is critical for the delivery of a product or service and without which the product or service cannot be provided. We will therefore not seek your explicit consent to process this information as it is required by us to provide the product or service you have requested and is legitimised by its criticality to the service provision. If you object to the processing of this information, then we will be unable to offer you that product or service. Where you have given consent for the processing of your data, you may withdraw that consent at any time.

Please note that typically we process data on the legal basis that it relates to a contract of insurance, or a contract to provide you with risk advice, so the right to erasure, which does not apply to personal information processed for a contractual purpose, will not be applicable in many instances.

However, we may also collect personal data for marketing purposes from publicly available sources or product development purposes where it is in our legitimate interests to do so.

To read our full Fair Processing Notice, visit www.towergateinsurance.co.uk/fpn/fair-processing-notice-directory.



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