

# Professional Indemnity

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## Proposal Form Design and Construct

**Please complete the whole form to the best of your ability, clarifying any areas where necessary and continuing on a separate sheet if required.**

**A website, brochure or overview of the services you provide will assist underwriters**

**New start-ups: Please use estimated values for fees, work breakdown etc. Please also provide a current CV or full summary of relevant qualifications and experience.**

### **Insurance Act 2015 - Proposal Forms for non-consumer contracts - 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.

**Please return your completed form and any supporting documentation to:**

Email: [underwriting@collegiate.co.uk](mailto:underwriting@collegiate.co.uk)  
Fax: 020 7459 3455  
Post: 18 Mansell Street, London, E1 1FE

## DESIGN AND CONSTRUCT

If the answer to any question requires additional information, please ensure that this information is attached to the form. No quotation will be given unless all required details are provided.

### Your Business

1. Name of all companies/firms to be insured:

Name	Date established

2. Contact details

Address:	Contact Name:	
	Telephone:	Fax:
Post code:	Email:	Website:

### Your Business Activity

3. Please describe fully the activities you undertake:

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4. Please provide details of the five largest contracts (in terms of total project value) undertaken in the last five years where you had responsibility for design or other professional services:

Start and end date	Client	Your contract value	Total contract value	Description of your activities

If you anticipate any additions or alterations to these activities please provide details on a separate sheet.

5. Please provide details of the three largest contracts (in terms of total project value) expected to commence in the next 12 months where you have responsibility for design or other professional services:

Start and end date	Client	Your contract value	Total contract value	Description of your activities

**Partners and Directors**

6.

Name	Qualifications	No. of years experience

**Your Turnover**

7. Please state your turnover split into the following categories:

	Your Financial Year End (mm/yy)	Previous Year	Last Year	Current Year (estimate)
	Turnover	£	£	£
Full D&C	a. % of total where you carry out construction / installation and you are responsible for the design* and the design* is undertaken by your own partners, directors or employees.	%	%	%
Contingent	b. % of total turnover where you carry out the construction / installation and you are responsible for the design* and the design* is undertaken by third parties appointed by you, on your behalf, or whose appointment is novated to you.	%	%	%
Pure Consulting	c. % of total turnover where you carry out the construction / installation but have no responsibility for any aspect of the design* i.e. you work to designs* provided by your clients or main contractor with no input from you at all	%	%	%
	d. All other turnover. Please provide full details of the activities undertaken in the box below.	%	%	%
	e. <b>Fees</b> , where you act as project manager of other contractors or carry out professional functions such as quantity surveying or design:	£	£	£

\*Design means any design or specification, feasibility study, technical information calculation or survey carried out in relation to a contract.

**If there is any overseas work, please state this separately**

**Staff**

8. Including partners, directors;

How many professionally Qualified staff do you have?

What are the professional qualification held by these staff?

How many staff in total do you have?

9. Have you undertaken contracts involving any of the following in the last five years?

- |   |     |                          |    |                          |
|---|-----|--------------------------|----|--------------------------|
| a) Manufacturing Plant  | YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
| b) Power Plant  | YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
| c) Sewerage* & Water Systems*   | YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
| d) Petrochemicals & Refineries /Nuclear / Atomic                        | YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
| e) Roads*, Bridges, Tunnels & Dams                                      | YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
| f) Harbours & Jetties   | YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
| g) Mines & Associated Works   | YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
| h) Demolition   | YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
| i) Foundations / piling   | YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
| j) Structural steelwork (where you have some responsibility for design) | YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
| k) The Installation of Syphonic Drainage Systems                        | YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |

\*other than as part of the infrastructure for a development where you are also constructing the buildings.

If any of the answers to a)-k) above is YES, please provide full details on a separate sheet.

- |   |     |                          |    |                          |
|---|-----|--------------------------|----|--------------------------|
| 10. Do you carry out work outside the UK?   | YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
| 11. Have you ever undertaken a contract as a member of a consortium or joint venture?                               | YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
| 12. Have you ever undertaken a contract which forms part of a PFI or PPP project?                                   | YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
| 13. Do you ever accept liability for professionals appointed by others by way of novation or other legal agreement? | YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
| 14. Have you ever been involved in Roofing / cladding?  | YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
| 15. Have you ever undertaken or do you expect to undertake any work involving basement extensions?                  | YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |

**If the answer to questions 7-12 is YES, please provide full details on a separate sheet.**

16. Do all your contracts involve well-established techniques and practices? YES  NO

17. Do you now, and have you in the past, always ensured that any third parties appointed by you, on your behalf, or whose appointment is novated to you, who undertake \*design (as defined in question 15), hold, and continue to maintain, Professional Indemnity insurance with a limit of Indemnity at least equal to that held by you? YES  NO

If the answer to questions 12-13 is NO, please provide full details on a separate sheet.

**Cladding**

18 Has the firm or its predecessors ever been involved in:

a) The specification, design or supervision of the installation of windows or cladding or cavity barrier protection on any building over 4 stories or 18 meters in height? YES  NO

If yes please provide details.

b) The refurbishment of any building over 4 stories or 18 meters in height? YES  NO

If Yes please provide details including the number and height of such buildings, the extent of your services, the nature/scope of the refurbishment.

c) Any project on a building over 4 stories / 18 meters in height, which involved the installation of Aluminium Composite Material (ACM) panels? YES  NO

If Yes please provide details including the number and height of such buildings, the extent of your services, the nature of the panels including if they contained any (modified or unmodified) polyethylene filler and Foam Insulation.

**Work**

19. Please state the proportion of your work in the last year, or estimated for next year if a new start up, relating to the following disciplines paying careful attention to each column heading:

	Proportion of turnover where the firm has responsibility for the design element or appointing other professionals to undertake the design in relation to:	Proportion of turnover where the firm has no responsibility for design (contingent work)
Architectural	%	%
Structural Engineering	%	%
Building Services	Heating & Ventilation	%
	Electrical Engineering	%
	Mechanical Engineering	%
Civil Engineering	%	%
Soil Engineering	%	%
Roofing	%	%
Cladding / Glazing	%	%
Curtain Walls	%	%
General construction costs	%	%
Other, please specify	%	%

Is the work split on the previous page typical of the figures for the last five years?  
 If NO, please give details on a separate sheet.

YES  NO

**Current Insurance**

20. Please provide details of your current PI cover

Name of Insurer	Limit of indemnity	Excess	Premium	Renewal Date	No. of years continuously held

**Limit of Indemnity**

21. Please advise the limit of Indemnity now required together with your preferred excess.

Option	Limit	Excess
A	£	£
B	£	£

22. In relation to your professional business activities, are you after reasonable enquiry aware of:

Any shortcoming in your work which is likely to lead to a claim against you.

This includes:

- A shortcoming known to you which you cannot reasonably put right. YES  NO
- A complaint about your work or anything you have supplied which cannot be immediately resolved. YES  NO
- An escalating level of complaint on a particular project. YES  NO

A client withholding payment due to you after any complaint. YES  NO

Any loss from the dishonesty or malice of any employee or self-employed freelancer. YES  NO

Any loss from the suspected dishonesty or malice of any employee or self-employed freelancer. YES  NO

Any matter which may give rise to a claim against your predecessors in business or any past partner, principal, director or employee. YES  NO

Have you or any of your partners or directors either personally or in any business capacity been declared bankrupt or insolvent or made arrangements with creditors? YES  NO

If you answered "YES" to any of the above, please provide full details.

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23. Has any claim, whether successful or not, been made against you or your predecessors in business or any past or present partner, principal, director or employee (whether previously insured or not)? YES  NO

24. Has any claim or loss, whether successful or not, ever occurred or been made against you or your predecessors in business or any past or present partner, principal, director or employee in respect

of any risk now to be insured under this insurance (whether previously insured or not)? YES  NO

If "YES" please provide full details below:

Date	Details	Amount	Remedial Action

Please continue on a separate sheet if necessary.

25. Have you ever had any insurance or proposal cancelled, withdrawn, declined or made subject to special terms? YES  NO

If YES, please provide details:

Date	Details

## 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 Principal/Partner/Director

Date

Name \_\_\_\_\_  
(in capitals)

A copy of this proposal should be retained for your records.

### 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](http://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.