

## How we process claims

1 October 2023

The operation of the Solicitors Indemnity Fund (SIF) is governed by the SRA Indemnity Fund Rules.

We can consider making a payment if:

The claim is from:

- the person who received the legal services; or
- a third party who relied on the solicitor or firm to do something

AND

- they have lost money due to the acts or omissions of the solicitor or firm; and

the claim falls within the terms of the cover set out in Rule 8.

We will reject claims if:

- It is unlikely that legal liability to the claimant can be established
- the claim is outside the time allowed by the Limitation Act 1980
- the claim does not fall within the scope of cover.

When considering whether to make a payment, we aim to be fair, consistent, and transparent. We will make decisions according to our assessment of legal liability. We will help people make claims by providing a straightforward application process and a fair decision.

Providing information and how it will be used:

We may ask for further information during our investigation. If we locate any partners or people who worked at the closed practice, we may send them copies of any correspondence or documents you provide. We may ask them for their views on your claim, and keep them informed on our investigation.

Please try to answer requests for information as soon as possible to avoid delay in your claim.

## Who will deal with your claim?

All claims to SIF are handled on our behalf by Polo Works. They will deal with the day-to-day handling of the claim. In some cases, Polo Works may use a firm of solicitors to assist. At all stages, we have oversight of the claims and receive regular reports on them.

Polo Works and any solicitor firm appointed do not act for the claimant. They are dealing with claims on our behalf by applying the [Rules](https://rules.sra.org.uk/solicitors/standards-regulations/indemnity-fund-rules/) [\[https://rules.sra.org.uk/solicitors/standards-regulations/indemnity-fund-rules/\]](https://rules.sra.org.uk/solicitors/standards-regulations/indemnity-fund-rules/) to them.

Claims involving professional negligence can be complex. You should consider taking independent legal advice, especially if you do not understand something fully.

## **Time limits**

The law places time limits on how long after the event some claims can be made. For example, there are statutory periods set out in Section 14(a) and Section 14(b) of the Limitation Act 1980.

If you think your claim may be affected by these time limits – and especially if you are claiming many years after the legal work was done – you should obtain your own legal advice.

When we consider your claim, we will look at whether a legal time limit applies. We will not be able to pay any claim brought outside of a legal time limit.

## **Assessing the claim**

If we are satisfied that the claim has been made in time and that there has been negligence that caused a loss, we will offer to settle the claim.

If your claim is out of time or it is not possible to show that the loss was caused by negligence, we will reject the claim.

If you do not agree with a decision to reject your claim, or if you think any compensation offered is too low, you can still take action through the courts subject to legal time limits.