

## **Individual Form to assess the appropriate resources and suitability in relation to individuals responsible for the management of a CMC**

This form should be completed by all pure CMCs (including Sole Traders) and by the most senior managers and individuals responsible for the management and strategic direction of the firm.

**Name of individual** (to be completed by applicant firm)

**Full name of applicant firm** (as entered in 2.1)

**Firm reference number** (as entered in 2.2)

In order to assess whether a firm meets our Threshold Conditions, firms must provide information which enables us to consider whether the firm has appropriate non-financial resources whether those who manage their firm's affairs have adequate skills and experience and have acted in the past and may be expected to act with probity, and whether the firm's business is being, or is expected to be, managed in such a way as to ensure that its affairs will be conducted in a sound and prudent manner.

### **Important information you should read before completing this form**

Please keep a copy of the forms you complete and any supporting documents you include with this application for your future reference.

The FCA processes personal data in line with the requirements of The General Data Protection Regulation (EU) 2016/679 and the Data Protection Act 2018. For further information about the way we use the personal data collected in this form, please read our privacy notice available on our website: [www.fca.org.uk/privacy](http://www.fca.org.uk/privacy) .

**It is important that you provide accurate and complete information, and disclose all relevant information. If you do not, you may be committing a criminal offence and it may increase the time taken to assess your firm's application.**

The notes that accompany this form will help you complete the questions. Please see <https://www.fca.org.uk/publication/forms/claims-management-individual-notes.docx>

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## **Filling in the form**

- 1** If you are using your computer to complete the form:
  - use the TAB key to move from question to question and press SHIFT TAB to move back to the previous question.
- 2** If you are filling in the form by hand:
  - use black ink; and
  - write clearly.
- 3** If you think a question is not relevant to you, write 'not applicable' and explain why.
- 4** If you leave a question blank without telling us why, we will have to treat the application as incomplete. This will increase the time taken to assess your application.
- 5** If there is not enough space on the forms, you may need to use separate sheets of paper. Clearly mark each separate sheet of paper with the relevant question number.
- 6** This form should be attached to your application in Connect.

# 1

## Personal identification details

**1.1a FCA Individual Reference Number (IRN) (if individual is already registered with the FCA)**

**b OR name of previous regulatory body**

**c AND previous IRN**

**1.2 Title (eg Mr, Mrs, Ms, etc)**

**1.3 Surname**

**1.4 ALL forenames**

**1.5 Name commonly known by**

**1.6 Previous name(s)**

**1.7 Date of name change (dd/mm/yyyy)**

 /  / 

**1.8 Date of birth (dd/mm/yyyy)**

 /  / 

**1.9 Place of birth**

**1.10 National Insurance number or copy of passport (or equivalent)**

Copy of passport (or equivalent) attached

**1.11 Nationality**

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**1.12 Contact details of individual**

Phone number	
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Email address	
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**1.13 Private address**

Private address	
Postcode	

**Date resident at this address (mm/yyyy)**

**From**

		/				
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If address has changed in the last three years, please provide addresses for the previous three years.

**1.14 Previous address 1**

Private address	
Postcode	

**Dates resident at this address (mm/yyyy)**

		/				
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**To**

		/				
--	--	---	--	--	--	--

**Previous address 2**

Private address	
Postcode	

**Dates resident at this address (mm/yyyy)**

		/				
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**To**

		/				
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# 2

## Firm identification details

**2.1 Name of applicant firm making the application****2.2 FCA Firm Reference Number (FRN) if known****2.3 Who should the FCA contact at the applicant firm in relation to this form?**

Name	
Position	
Telephone	
Email	

# 3

## Individual arrangements

### 3.1 Details of position held (or to be held) by the CMC Individual

- Executive Director / Partner or other member of the executive management board
- Non-executive Director or Manager of the CMC
- Other (give details below)

### 3.2 When is the individual's planned start date or the date of starting (dd/mm/yyyy)?

		/			/				
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### 3.3 What are the individual's key duties and responsibilities?

### 3.4 Please indicate in the box below if the firm intends to submit an application for approval of this Individual for a Senior Manager Function under the Senior Managers and Certification Regime (please refer to CP18/26: Claims management companies: applying the Senior Managers and Certification Regime to claims management companies on the FCA website for information on how the regime affects CMCs).

- Yes
- No

# 4

## Employment history and qualifications

N.B. A full five-year employment history must be provided & ALL gaps must be accounted for. Failing to provide this may delay the processing of the firm's application.

### Employment details (1)

#### 4.1

##### Current position

Period From  To

Nature of employment  a) Employed  
 b) Self-employed  
 c) Unemployed  
 d) In full-time education  
 If c or d is ticked, please give details

Name of employer

Last known address of employer

Previous/other names of employer

Nature of business

Is/was employer regulated by a regulatory body?  No  
 Yes ▶ Please give the name of the regulatory body

Is/was employer an appointed representative/tied agent?<sup>1</sup>  No  
 Yes ▶ Please give the name of the firm

Position held

<sup>1</sup> Please see the Glossary in the FCA Handbook for definitions of these terms.

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Responsibilities

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**Employment details (2)****4.2****Previous position**

Period From

mm/yy

To

mm/yy

Nature of employment

- a) Employed  
 b) Self-employed  
 c) Unemployed  
 d) In full-time education

If c or d is ticked, please give details

Name of employer

Last known address of employer

Previous/other names of employer

Nature of business

Is/was employer regulated by a regulatory body?

- No  
 Yes ▶ Please give the name of the regulatory body

Position held

Responsibilities

Reason for leaving

- a) Resignation  
 b) Redundancy  
 c) Retirement  
 d) Termination/dismissal  
 e) End of contract  
 f) Other ▶ Please specify

**Employment details (3)****Previous position**

Period From  To

Nature of employment  a) Employed  
 b) Self-employed  
 c) Unemployed  
 d) In full-time education  
 If c or d is ticked, please give details

Name of employer

Last known address of employer

Previous/other names of employer

Nature of business

Is/was employer regulated by a regulatory body?  No  
 Yes ▶ Please give the name of the regulatory body

Position held

Responsibilities

Reason for leaving  a) Resignation  
 b) Redundancy  
 c) Retirement  
 d) Termination/dismissal  
 e) End of contract  
 f) Other ▶ Please specify

**4.3 Please attach an up-to-date CV containing details of education and professional experience, including academic qualifications, other relevant training, the name and nature of all organisations for which the individual works or has worked, and the nature and duration of the functions performed, in particular highlighting any activities within the scope of the position sought or held.**

Attached

**4.4 Please provide full details of why the individual has adequate skills and experience to carry out their role. ]**

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# 5

## Appropriate resources and suitability

### Part A – Criminal proceedings

When answering the questions in this section the Individual should include matters whether in the United Kingdom or overseas. By virtue of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, if the Individual is subject to the law of England and Wales, the Individual must disclose spent convictions and cautions (other than a protected conviction or caution). By virtue of the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013 and the Rehabilitation of Offenders (Exceptions) Order (Northern Ireland) 1979, if the Individual is subject to the law of Scotland or Northern Ireland, the Individual must disclose spent convictions (other than a protected conviction).

For the avoidance of doubt, references to the legislation above are references to the legislation as amended.

**If any question has been answered 'yes' in Section 5, further details should be provided in Section 6**

If there is any other information the Individual or the firm considers to be relevant to the application, it must be included in Section 6

#### 5.1a Has the Individual ever been convicted of any criminal offence (whether spent or not and whether or not in the United Kingdom):

**i) involving fraud, theft, false accounting, offences against the administration of public justice (such as perjury, perverting the course of justice and intimidation of witnesses or jurors), serious tax offences or other dishonesty or**

**ii) relating to companies, building societies, industrial and provident societies, credit unions, friendly societies, insurance, banking or other financial services, insolvency, consumer credit or consumer protection, money laundering, market manipulations, insider dealing, or compensation claims?**

No  Yes

#### b Is the Individual currently the subject of any criminal proceedings, whether in the UK or elsewhere?

No  Yes

#### c Has the Individual ever been given a caution in relation to any criminal offence?

No  Yes

#### 5.2 Has the Individual any convictions for any offences other than those in Question 5.1 above (excluding traffic offences that did not result in a ban from driving or did not involve driving without insurance)?

No  Yes

**5.3 Is the Individual the subject of any ongoing criminal investigation?**

No  Yes

**5.4 Has the Individual been ordered to produce documents pursuant to any ongoing criminal investigation or been the subject of a search (with or without a warrant) pursuant to any ongoing criminal investigation?**

In answering Question 5.4, you should include all matters even where the Individual was not the subject of the investigation.

No  Yes

**5.5 Has any firm at which the Individual holds or has held a position of influence ever:****a Been convicted of any criminal offence?**

No  Yes

**b Been summonsed, charged with or otherwise investigated or prosecuted for any criminal offence?**

No  Yes

**c Been the subject of any criminal proceeding which has not resulted in a conviction?**

No  Yes

**d Been ordered to produce documents in relation to any criminal investigation or been the subject of a search (with or without a warrant) in relation to any criminal investigation?**

No  Yes

In answering Question 5.5, you should include all matters even when the summons, charge, prosecution or investigation did not result in a conviction, and, in respect of Question 5.5d, even where the firm was not the subject of the investigation. However, firms are not required to disclose details of any specific individuals who were subject to historic (as opposed to ongoing) criminal investigations, prosecutions, summons or other historic criminal proceedings.

**Part B – Civil proceedings****5.6 Has the Individual ever been the subject of a judgment debt or award against them? (whether satisfied or not?)**

No  Yes

Please give a full explanation of the events in question.

The individual should include all County Court Judgment(s) ('CCJs') made against the Individual, whether satisfied or not; and:

- the sum and date of all judgment debts or CCJs (whether satisfied or not); and
- the total number of all judgement debts, awards or CCJs ordered.

**5.7 Has the Individual ever been party to any civil proceedings which resulted in any order against the Individual (other than a judgement debt or award referred to in Question 5.6 above)? (the Individual should include, for example, injunctions and employment tribunal proceedings.)**

No  Yes

**5.8 Is the Individual aware of:**

**a) Any proceedings that have begun or anyone's intention to begin proceedings against the Individual, for a CCJ or another judgement debt?**

No  Yes

**b) More than one set of proceedings, or anyone's intention to begin more than one set of proceedings, that may lead to a CCJ or other judgement debt?**

No  Yes

**5.9 Does the Individual have any current judgement debts (including CCJs) made under a court order still outstanding, whether in full or in part?**

No  Yes

**5.10 Has the Individual ever failed to satisfy any such judgement debts (including CCJs) made under a court order still outstanding, whether in full or part, within one year of the order being made?**

No  Yes

**5.11 Has the individual ever:**

**a) Filed for the Individual's own bankruptcy or had a bankruptcy petition served on the Individual?**

No  Yes

**b) Been adjudged bankrupt?**

No  Yes

**c) Been the subject of a bankruptcy restrictions order (including an interim bankruptcy restrictions order) or offered a bankruptcy restrictions undertaking?**

No  Yes

**d) Made any arrangements with the Individual's creditors, for example a deed of arrangement or an individual voluntary arrangement (or in Scotland a trust deed)?**

No  Yes

**e) Had assets sequestered?**

No  Yes

**f) Been involved in any proceedings relating to the above matters – whether ongoing or in the past - even if such proceedings did not result in the making of any kind of order against the Individual or result in any kind of agreement with the Individual?**

No  Yes

**5.12 Does the Individual, or any undertaking under their management, have any outstanding financial obligations arising from regulated activities, which have been carried out in the past (whether or not in the UK or overseas)?**

No  Yes

**5.13 Has the Individual ever been adjudged by a court or tribunal (whether criminal, civil or administrative) for any fraud, misfeasance, negligence, wrongful trading or other misconduct? Or been found by a judge or tribunal to have lied on oath and/or that their evidence was to be disbelieved?**

No  Yes

**5.14 Is the Individual currently:**

**a) Party to any civil proceedings (including those covered in Question 5.12 above)?**

No  Yes

**b) Aware of anybody's intention to begin civil proceedings against the Individual? (Individual should include any ongoing disputes whether or not such dispute is likely to result in any order against the Individual.)**

No  Yes

**5.15 During the period over which the Individual has held a position of influence and/or in the 10 years after this, has any firm at which the Individual holds or has held a position of influence ever been:**

**a) Adjudged by a court civilly liable for any fraud, misfeasance, wrongful trading or other misconduct?**

No  Yes

**b) The subject of a judgement debt or award against the firm? (Individual should include all CCJs made against the firm, whether satisfied or not.)**

No  Yes

**c) Party to any other civil proceedings which resulted in an order against the firm other than in relation to matters covered in Questions 5.15a and 5.15b?**

**5.16 Is any firm at which the Individual currently holds or has held, within the last 12 months from the date of the submission of this form, a position of influence currently:**

**a) a party to civil proceedings; and/or?**

No  Yes

**b) aware of anyone's intention to begin civil proceedings against them?**

No  Yes

**5.17 Has any company, partnership or unincorporated association of which the Individual is or has been a controller, director, senior manager, partner or company secretary, in the UK or elsewhere, at any time during their involvement, or within one year of such an involvement, been put into liquidation, wound up, ceased trading, had a receiver or administrator appointed or entered into any voluntary arrangement with its creditors?**

No  Yes

**Part C – Business and employment matters****5.18 Has the Individual ever been:**

**a) Disqualified from acting as a director or similar position (one where the Individual acts in a management capacity or conducts the affairs of any company, partnership or unincorporated association)?**

No  Yes

**b) The subject of any proceedings of a disciplinary nature (whether or not the proceedings resulted in any finding against the Individual)?**

No  Yes

**c) The subject of any investigation which has led or might lead to disciplinary proceedings?**

No  Yes

**d) Notified of any potential proceedings of a disciplinary nature against the Individual?**

No  Yes

**e) The subject of an investigation into allegations of misconduct or malpractice in connection with any business activity? (This question covers internal investigation by an authorised firm, as well as investigation by a regulatory body, at any time.)**

No  Yes

**5.19 Has the Individual ever been refused entry to, or been dismissed, suspended or requested to resign from, any professional, vocation, office or employment, or from any fiduciary office or position of trust whether or not remunerated?**

No  Yes

**5.20 Does the Individual have any material written complaints made against the Individual by the Individual's clients or former clients in the last five years which the Individual has accepted, or which are awaiting determination, or have been upheld – by an ombudsman or complaints scheme?**

No  Yes

## **Part D – Regulatory matters**

**5.21 In relation to activities regulated by the FCA or any other regulatory body, including the Claims Management Regulator, has:**

- **the Individual, or**
- **any company, partnership or unincorporated association of which the Individual is or has been a controller, director, senior manager, partner or company secretary, during the Individual's association with the entity and for a period of three years after the Individual's ceased to be associated with it, ever –**

**a) Been refused, had revoked, restricted, been suspended from or terminated, any licence, authorisations, registration, notification, membership or any other permission granted by any such body?**

No  Yes

**b) Been criticised, censured, disciplined, suspended, expelled, fined or been the subject of any other disciplinary or interventional action by any such body?**

No  Yes

**c) Received a warning (whether public or private) that such disciplinary or interventional action may be taken against the Individual or the firm?**

No  Yes

**d) Been the subject of an investigation by any regulatory body, whether or not such an investigation resulted in a finding against the Individual or the firm?**

No  Yes

**e) Been required or requested to produce documents or any other information to any regulatory body in connection with such an investigation (whether against the firm or otherwise)?**

No  Yes

**f) Been investigated or been involved in an investigation by an inspector appointed under companies or any other legislation, or required to produce documents to the Secretary of State, or any other authority, under any such legislation?**

No  Yes

**g) Ceased operating or resigned whilst under investigation by any such body or been required to cease operating or resign by any regulatory body?**

No  Yes

**h) Decided, after making an application for any licence, authorisation, registration, notification, membership or any permission granted by any such body, not to proceed with it?**

No  Yes

**i) Been the subject of any civil action related to any regulated activity which has resulted in a finding by a court?**

No  Yes

**j) Provided payment services or distributed or redeemed e-money on behalf of a regulated firm or itself under any contractual agreement where that agreement was terminated by the regulated firm?**

No  Yes

**k) Been convicted of any criminal offence, censured, disciplined or publicly criticised by any inquiry, by the Takeover Panel or any governmental or statutory authority or any other regulatory body, (other than as indicated in this group of questions).**

No  Yes

**5.22 In relation to activities regulated by the FCA or any other regulatory body, including the Claims Management Regulator, has the Individual or any firm at which the Individual holds or has held a position of influence at any time during and within one year of the Individual's association with the firm ever:**

**a) Been found to have carried on activities for which authorisation or registration by the FCA or any other regulatory body is required without the requisite authorisations?**

No  Yes

**b) Been investigated for the possible carrying on of activities requiring authorisation or registration by the FCA or any other regulatory body without the requisite authorisation whether or not such investigation resulted in a finding against the Individual?**

No  Yes

**c) Been found to have performed a senior management function or other controlled function (or an equivalent function requiring approval by the FCA or any other regulatory body) without the requisite approval?**

No  Yes

**d) Been investigated for the possible performance of a senior management function or other controlled function (or an equivalent function requiring approval by the FCA or any other regulatory body) without the requisite approval, whether or not such investigation resulted in a finding against the Individual?**

No  Yes

**e) Been found to have failed to comply with an obligation under the Electronic Money Regulations 2011 or Payment Services Regulations 2017 to notify the FCA of the identity of a person acting in a position of influence over its electronic money or payment services business?**

No  Yes

**f) Been the subject of a prohibition order under section 56 FSMA, or received a warning notice proposing that such a direction or order be made, or received a private warning?**

No  Yes

### **Part E – Other matters**

**5.23 Is the individual, in the role to which the form relates, aware of any business interests, employment obligations, or any other circumstance which may conflict with their performance as a member of the senior management team?**

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# 6 Supplementary information

**6.1 If there is any other information the individual or the firm considers may be relevant to the application, it must be included here.**

**Please also include here any additional information indicated in previous sections of the form.**

**If there is insufficient space, please continue on a separate sheet of paper and clearly identify the section and question to which the additional information relates.**

Question	Information

**Please indicate how many additional sheets are being submitted**

# 7

## Declarations and signatures

### Declaration of Individual

It is a criminal offence, knowingly or recklessly, to give the FCA information that is materially false, misleading or deceptive (see sections 398 and 400 of the Financial Services and Markets Act 2000 – 'FSMA'). Even if you believe or know that information has been provided to the FCA before (whether as part of another application or otherwise) or is in the public domain, you must nonetheless disclose it clearly and fully in this form and as part of this application – you should not assume that the FCA will itself identify such information during the assessment of this application.

There will be a delay in processing the application if information is inaccurate or incomplete, and it may call into question the suitability of the Individual and the applicant firm and/or lead to the FCA exercising their powers (including but not limited to taking disciplinary/ Enforcement action). You must notify the FCA immediately if there is a change to the information in this form and/or if inaccurate information has been provided (insofar as the FCA is reasonably likely to consider the information material).

The Individual confirms that the information provided in this application is accurate and complete to the best of his/her knowledge and that he or she has read the notes to this form. The Individual will notify the FCA immediately if there is a material change to the information provided.

The Individual agrees that the FCA may use the address specified for the Individual in this form as the proper address for service in the United Kingdom (as defined in the Financial Services and Markets Act 2000 (Service of Notice) Regulations (SI 2001/1420)) to serve any notices on the Individual.

The Individual is aware that, while advice may be sought from a third party (e.g. legal advice), responsibility for the accuracy of information, as well as the disclosure of relevant information, on the form is ultimately the responsibility of those who sign the application.

The individual authorises the FCA to make such enquiries and seek such further information as it thinks appropriate in the course of verifying the information given in this Form. Individuals may be required to apply to the Disclosure and Barring Service for a search to be made as to whether any criminal records are held in relation to them and to disclose the result of that search to us. The individual also understands that the results of these checks may be disclosed to the firm submitting this application.

For the purposes of complying with data protection legislation, please read the FCA's privacy notice at <https://www.fca.org.uk/data-protection> . This notice will tell you what to expect when the FCA collects personal information, including how and why we use your personal information and who to contact if you have any queries or wish to exercise your rights.

Tick here to confirm you have read and understood this declaration

**Name of individual**

**Signature**

**Date (dd/mm/yyyy)**

<input type="text"/>	<input type="text"/>	/	<input type="text"/>	<input type="text"/>	/	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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## Declaration of Firm

It is a criminal offence, knowingly or recklessly, to give the FCA information that is materially false, misleading or deceptive (see sections 398 and 400 of the Financial Services and Markets Act – 'FSMA'). Even if you believe or know that information has been provided to the FCA before (whether as part of another application or otherwise) or is in the public domain, you must nonetheless disclose it clearly and fully in this form and as part of this application – you should not assume that the FCA will itself identify such information during the assessment of this application.

There will be a delay in processing the application if information is inaccurate or incomplete, and it may call into question the suitability of the Individual and the applicant firm and/or lead to the FCA exercising their powers under FSMA (including but not limited to taking disciplinary/ Enforcement action). You must notify the FCA immediately if there is a change to the information in this form and/or if inaccurate information has been provided (insofar as the FCA is reasonably likely to consider the information material).

In addition to other regulatory responsibilities, firms, and approved persons have a responsibility to disclose to the FCA, matters of which it would reasonably expect to be notified. Failure to notify the FCA of such information may lead to the FCA taking disciplinary or other action.

The Applicant confirms that the information provided in this application is accurate and complete to the best of its knowledge and that it has read the notes to this form. The Applicant will notify the FCA immediately if there is a material change to the information provided.

For the purposes of complying with data protection legislation, please read the FCA's privacy notice at <https://www.fca.org.uk/data-protection> . This notice will tell you what to expect when the FCA collects personal information, including how and why we use your personal information and who to contact if you have any queries or wish to exercise your rights.

The Applicant is aware that, while advice may be sought from a third party (e.g. legal advice), responsibility for the accuracy of information, as well as the disclosure of relevant information, on the form is ultimately the responsibility of those who sign the application.

In signing this form on behalf of the Applicant:

I confirm that the information in this form is accurate and complete to the best of my knowledge and belief and that I have read the notes to this form.

I confirm that I have authority to make this application and provide the declarations given by the Applicant, and sign this form, on behalf of the firm identified in Section 2. I also confirm that a copy of this form, as submitted to the FCA, will be sent to each of those firms at the same time as submitting the form to the FCA.

**Name of the firm submitting the application**

**Name of the person signing on behalf of the Individual**

**Job title**

**Signature**

**Date (dd/mm/yyyy)**

<input type="text"/>	<input type="text"/>	/	<input type="text"/>	<input type="text"/>	/	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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