

**Meningitis
now**

A guide to donating dormant client account funds



Dormant Client Accounts

Information for companies

What are dormant funds?

Unclaimed client account balances are sums of money which lie dormant in the client account of many companies, often untouched for years. It may be that the rightful owner cannot be traced, or perhaps they will not provide instructions on how the funds should be dealt with. An attempt may have been made to return the monies to the client, but the cheque has remained un-cashed.

Regardless of their age or origin, these balances can all be disposed of cost-effectively and permanently.

Is permission required from the SRA to donate these to charity?

The SRA rule is that firms must return balances on the client account "promptly" as soon as there is no reason to retain the funds.

Where the rightful owner cannot be traced, Rule 5.1(c) of the Solicitors' Accounts Rules permit balances **under £500** to be paid to charity without SRA permission, providing certain safeguards are met - this includes taking and recording adequate steps to identify and returns these funds to the rightful owner.

Amounts **over £500** can also be paid to charity, providing SRA permission is granted and the charity is prepared to take out indemnity insurance. Meningitis Now will confirm in writing our liability to return the donated amount, in the event where the legal owner of the funds subsequently comes forward.

Unclaimed client account balances may not be used for any other purpose and have become an administrative burden to Finance Managers who must analyse and explain the existence of these client balances to auditors annually. Donating them to Meningitis Now can help make a big difference and save lives.

The process

In order to comply with SRA rules, a firm must:

- Make reasonable attempts to establish the identity of the money's owner, including use of a genealogical research service;
- Make adequate attempts to ascertain the proper destination of the money and to return it to the rightful owner, unless the reasonable costs of doing so are likely to be excessive in relation to the amount held;
- Pay the funds to charity;
- Record the above steps taken and keep all relevant documentation (such as the attempted correspondence and receipts from the charity). This record must be kept for a minimum of six years; and
- Keep a central register in accordance with rule 29.22.

It will be for the firm to be satisfied that the steps taken are:

- Appropriate to the unique circumstances of each such residual balance;
- Sufficient to satisfy the requirements of rule 20.2.

Useful resources

- Solicitors Regulation Authority - <http://www.sra.org.uk/guidance> - guidance on completing the application form
- Professional Ethics Guidance Team contact details:
Solicitors Regulation Authority
Professional Ethics, The Cube,
199 Wharfside St, Birmingham
B1 1RN
DX 720293
Tel: 0370 606 2577 or
Email: professional.ethics@sra.org.uk
- www.gov.uk/government/publications/pensions-and-insurance-tracing-and-letter-forwarding-service - The Department for Work and Pensions provides a tracing and letter forwarding service.
- Companies House <http://direct.companieshouse.gov.uk/> is useful for establishing the status of companies, details of administrators, registered office details and the names of current and ex-directors including their home address.

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Information for companies

- For individuals, a subscription to www.192.com gives access to the electoral role, directory enquiries, director reports and birth, death and marriage records. It also allows you to search by address, which is useful when trying to verify if the last-known address you have for a client is still accurate.
- www.ancestry.co.uk - this site is useful when tracing individuals or next of kin.
- www.titleresearch.com offers a service to assist solicitors with identifying and locating current owners of dormant balances using their Applied Genealogical Research Toolkit.
- Anglia Research Services UK www.angliaresearch.co.uk has been providing genealogy services for solicitors for over 30 years.
- The SRA also expects companies to make use of social media and print media in its attempts to trace the rightful owner of the dormant funds.

Template letters

- Meningitis Now has produced a template letter for use when contacting client account holders about dormant accounts and the release of funds.
- The SRA rules state that firms must make 'reasonable' efforts to contact the client account holder before funds can be released. The template letter provides an indicative basis which firms can use to make attempts to engage with account holders.
- Simply fill in the details as appropriate in the draft letter and send it to your clients. A copy of the letter can also be downloaded at www.meningitisnow.org/solicitorsdormantaccounts

How to donate

Please make cheques payable to 'Meningitis Now' and send them to Meningitis Now, Head Office, Fern House, Bath Road, Stroud, Gloucestershire, GL5 3TJ. Please include a covering letter including the client name and reference number.

Alternatively, please transfer the funds to Account Name: Meningitis Now, Account Number: 10276149, Sort Code: 55-61-08. Please ensure you include your firm's name in the transfer reference. Please write to the above address or email Partnerships@meningitisnow.org with the donation details so that a receipt can be sent.

Why Meningitis Now?

Meningitis Now is the first meningitis patient group in the world, founders of the meningitis movement and the only charity dedicated to fighting meningitis in the UK.

Over our 35+ year history, we have invested over £12.7m in early-stage research that has played a critical part in the introduction of five life-saving vaccines.

Our vision is a future where no-one in the UK loses their life to meningitis, and everyone affected gets the support they need to rebuild their lives. To achieve this, we:

- Provide emotional and practical support for people in the UK affected by meningitis.
- Raise awareness of meningitis symptoms and the need for rapid diagnosis and treatment.
- Fund research into vaccines, treatment, diagnosis and the impact of meningitis.
- Provide a powerful, united voice for people who know how devastating meningitis can be.

Recognising your contribution

In receiving a donation, Meningitis Now will:

- Send an official certificate of thanks
- Record your firm's support on our website, linking back to your site
- Provide an endorsement logo for use on your website, showing you are supporting Meningitis Now
- Give you the opportunity to become a Meningitis Now Brighter Futures Partner
- Acknowledge your support on social media
- Offer opportunities to engage with the charity's work and events

Information on the size of donations will remain confidential, unless agreed otherwise with a donating firm.

Template letters for finance managers

A. Sample final letter to send to the owner of dormant funds. It should be accompanied by Letter B which provides more information about Meningitis Now. Both letters are available to download at www.meningitisnow.org/dormantaccounts

[On your letterhead]

Date

Direct Line:

Direct Fax:

Our Ref:

Your Ref:

Dear

Following a review of our accounts, it has come to light that we hold in our client account the sum of £xxxxx on your behalf. Accordingly, I am writing to you to ask whether you wish this sum to be returned to you.

We have made two previous attempts to return this money to you on [date] and [date] but to date we have received no reply.

If you prefer not to accept receipt of these funds we would be happy, with your permission, to donate them to the charity Meningitis Now (details of which are attached).

Alternatively, if we do not hear from you within [xx] days, we will consider that these funds fall within the Rule 5.1(c) of the Solicitors' Accounts Rules and make arrangements to donate them to Meningitis Now. The money will be used to help save lives and support people who have been affected by meningitis in the UK.

Yours sincerely,

[Name]

Finance Manager/Senior Partner

Enc. Dormant Client Account Funds - Helping Meningitis Now

Template letters for finance managers

B. Letter to accompany the final letter (Letter A) to owner of the dormant funds. This template letter provides more information about Meningitis Now. Both letters are available to download at www.meningitisnow.org/dormantaccounts

The logo for Meningitis Now, featuring the words "Meningitis now" in white text on an orange circular background.

Meningitis Now

Meningitis is a terrible disease. It can strike quickly and its impact can last a lifetime. Meningitis Now is the first meningitis patient group in the world, founders of the meningitis movement and the only charity dedicated to fighting meningitis in the UK.

Over our 35+ year history, we have invested over £12.7m in early stage research that has played a critical part in the introduction of five life-saving vaccines.

Our vision is a future where no-one in the UK loses their life to meningitis and everyone affected gets the support they need to rebuild their lives. To achieve this, we:

- Provide emotional and practical support for people in the UK affected by meningitis.
- Raise awareness of meningitis symptoms and the need for rapid diagnosis and treatment.
- Fund research into vaccines, treatment, diagnosis and the impact of meningitis.
- Provide a powerful, united voice for people who know how devastating meningitis can be.

By donating your dormant funds you will be joining the fight against meningitis and helping people across the UK to receive free, specialist aftercare.

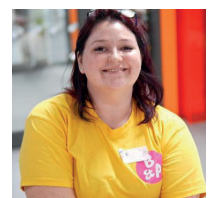
Further information about Meningitis Now and the services we provide can be found at www.meningitisnow.org

Thank you.

Meningitis Now
Fern House
Bath Road
Stroud
Glos, GL5 3TJ

Tel: 01453 768000

With your support Meningitis Now can continue their incredibly important work, offering assistance, information, and care to those who are going through the same tough journey I did.



Together, we can make sure that no other child or family has to endure the pain and heartbreak caused by meningitis.

Thank you, from the bottom of my heart,

Louise

You can help to save lives and rebuild futures

Donate your dormant client account funds and help save lives and rebuild futures

A future where no one in the UK loses their life to meningitis and everyone affected gets the support they need to rebuild their lives.

For full details visit www.meningitisnow.org/dormantaccounts or contact Partnerships@meningitisnow.org to request your complete guide.



£50

can pay for a home visit from one of our Community Support Officers



£250

can pay for two of our young Believe & Achievers to stay at our residential weekend and create new memories together



£500

can help to fund lifesaving meningitis research

Hi, My name is Louise, and I really want to open up and share my story with you. It's not an easy one, but I believe it's important to shed light on the challenges that families like mine face when dealing with meningitis.

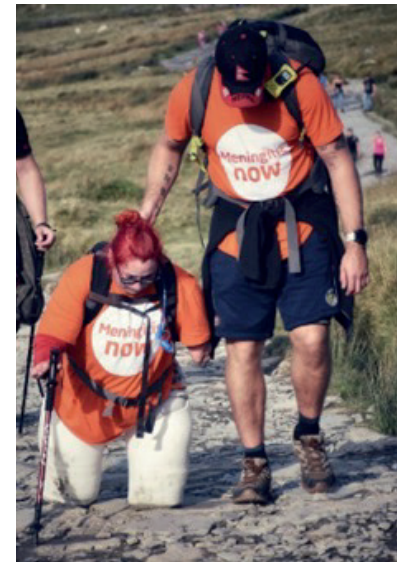
When I was just 2 years old, my life took an unexpected turn. I was diagnosed with meningitis and it completely changed everything. I lost both of my legs, one of my arms, and some of my fingers. It was devastating for me and my family - we were all shaken to the core.

With your support Meningitis Now can continue their incredibly important work, offering assistance, information, and care to those who are going through the same tough journey I did.

Together, we can make sure that no other child or family has to endure the pain and heartbreak caused by meningitis.

Thank you, from the bottom of my heart,

Louise



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Meningitis Now, Fern House, Bath Road, Stroud, Glos, GL5 3TJ
Call us on: 01453 768000
Visit us at: www.MeningitisNow.org

Registered Charity Number 803016 (England & Wales) SC037790 (Scotland)
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REGULATOR**