

**Meningitis
now**

A guide to donating dormant client account funds



Dormant Client Accounts

Information for law firms

In 2014, the Solicitors Regulation Authority (SRA) increased the limit of unclaimed funds from £50 to £500 which can be paid to charity without SRA permission. These funds potentially represent a significant contribution towards the work of Meningitis Now.

What are dormant funds?

Unclaimed client account balances are sums of money which lie dormant in the client account of many firms of solicitors, 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 law 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, rules 20.1 and 20.2 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 return the 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 is happy to do this.

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 law firms

- 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.titlesearch.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.

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 law firms must make 'reasonable' efforts to contact the client account holder before funds can be released. The template letter provides an indicative basis which law 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 corporate@meningitisnow.org with the donation details so that a receipt can be sent.

Why Meningitis Now?

Meningitis Now is the only charity dedicated to fighting meningitis in the UK. From local community support to national charity, we are proud of everything we have achieved in our 30 years.

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.

Meningitis Now funded research has supported the development and introduction of meningitis vaccines. Our campaigning has ensured that UK children receive these as part of their childhood immunisation programme. We distribute over 1.5 million of our signs and symptoms cards each year and our mobile phone app has been downloaded over 50,000 times, helping to raise awareness and save further lives.

For those who have been affected directly by meningitis, Meningitis Now has helped them rebuild their lives through our free specialist support. We provide practical, emotional and financial support to thousands of families each year, across the UK.

Meningitis Now receives no government funding and is totally dependent on voluntary donations and the generous support of our donors and partners. **Donating unclaimed client balances to Meningitis Now can ensure that inactive money is used to help us achieve our vision and continue to make a big difference to individuals, families and the wider community.**

Recognising your contribution

Meningitis Now is truly grateful to all firms who choose to support us by donating the sums in their dormant client accounts. On receiving a donation, we 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
- Offer local media support in your area
- Give you the opportunity to become a Meningitis Now Brighter Futures Partner

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.

[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 20.2 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 individuals and their families 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.



Dormant Client Account Funds - helping save lives and rebuild futures

Meningitis is a terrible disease. It can strike in an instant but its impact can last a lifetime.

Founder of the meningitis movement and the only charity dedicated to fighting meningitis in the UK, **Meningitis Now** is a community-focused, bold, brave and influential charity making a real difference. With our beneficiaries and supporters at the heart of everything we do, our vision is simple - 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. We do this through funding **research** into vaccines and prevention, reducing the impact of the disease through **awareness raising** and rebuilding futures by providing dedicated **support** to people living with the impact of the disease.

More than 9,000 people in the UK are affected by meningitis each year. **It is the disease most-feared by parents** and the consequences can be devastating. **One in 10 who contract bacterial meningitis will die, whilst 1 in 3 survivors are left with permanent disabilities** including limb loss, blindness, deafness and brain damage.

Families however, do not have to face meningitis or its consequences alone as we are here for them.

Meningitis Now receives no central government funding. We can only continue to save lives and rebuild futures through the generosity of our supporters, donors and partners. We are therefore asking the legal profession to help us raise much-needed funds by donating any monies left unclaimed by clients to Meningitis Now.

Further information about Meningitis Now, the work we do and the people we exist for can be found at www.meningitisnow.org.

Thank you.

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

Tel: 01453 768000

Registered Charity Number 803016 (England & Wales) SC037790 (Scotland)
Company Limited by Guarantee Registered in England and Wales Number 2469130

How your support helps us save lives and rebuild futures



£40

can provide 150 information packs with crucial advice about meningitis.

£3,000

can help fund one month of life saving research into preventing meningitis.



£3

can pay for 100 symptoms cards to help people recognise the signs of meningitis.

£35

can pay for a family to receive an hour's tuition of British Sign Language. Each lesson will not only help someone who has suffered hearing loss to meningitis to communicate better with their family, it will also help the whole family to reconnect with their loved one.



£2,500

can pay for a family to adapt their garden so it is safe for their child to play outdoors. Children affected by meningitis can be left with severe physical disabilities and these limit opportunities for them to play safely outdoors.



£1,000

can pay for a mobility scooter for a person that has had a limb amputated because of meningitis; helping them to regain a sense of independence.



£1,000

can provide vital laboratory equipment for our researchers.

£50

can pay for one hour of art, music or play therapy for a sibling of someone affected by meningitis. Creative therapy can enable a child to understand and cope with the impact that the disease has had on their lives.



**Meningitis
now**

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**Dormant Client Accounts
A beneficial solution**

A lifesaving partnership making
a real difference

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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

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

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