



Business continuity at Lovedays Solicitors

Updated 27th March 2020

The situation surrounding coronavirus is fast moving but we can reassure you that we are doing everything we can to help you in meeting your objectives and priorities and following the latest advice from the UK Government to manage any consequences for our clients and our staff. We have put in place a number of measures at Lovedays Solicitors to ensure that we have business continuity when dealing with any significant events (such as the possible impacts of coronavirus) and these are tested regularly as part of our robust Business Continuity Plan:

- We are now working with a reduced team of specialist staff to ensure that we process essential work recognised by the Government as key worker business to ensure that we comply with the current legislation and enforced rules set out by the Government. Such work includes Wills and Probate work and we also need to assist with completing conveyancing transactions which are already legally committed to be completed where we possibly can, as long as “social distancing” is abided by, by all people involved with the transaction and the Government guidance at the time of completion can be adhered to.
- Unfortunately, it has become very difficult to continue to progress conveyancing transactions as several Local Authorities are not in a position to provide necessary search results for properties. Even with files where we hold search results in hand there are difficulties now with Mortgage companies terminating their arrangements as they are concerned about clients’ future financial circumstances in this uncertain time. Further to this, a number of other conveyancing firms will have reduced their staff significantly and it is difficult in the circumstances to progress the work, particularly when we are not able to exchange and complete the transactions as this would be against the Law Society’s and the Government’s guidelines. I am very sorry, but at this time conveyancing transaction work will be very much kept on hold and will be progressed when the Government’s rules change in due course.

- Our client records are held electronically which means that our staff should be able to access almost all necessary documentation and systems remotely whilst following our usual processes and controls, and do not need to access any physical files held in offices. Please note that some historic documents that are rarely required may be held off site in archive and will not be available remotely.
- We have now closed the door to our three offices and ask that people call in advance if they need to attend one of the same, where their circumstances will be considered to see if a meeting is essential in accordance with the legal guidelines provided by the Government. We will still have people attending the offices on a very limited time basis to ensure that post is scanned on and that people's essential work is monitored during these times.
- It is likely that we are now at the stage where we need to prioritise urgent essential workload and on this basis, we are sorry if we are unable to complete your matter at this time, due to the heavy reduction in staff we have at the office. We will always be able to answer calls and assist as best as we can, and have specialist fee earners as part of the team in all aspects of the law we carry out and undertaken from these offices so we will be able to provide answers and to continue to assist, albeit maybe not able to move your matter forward until the Government's lockdown is relaxed and we will inform our clients should such a situation arise. We will take every effort to mitigate the impact for our clients in this situation.

Post Handling

We deal increasingly with e-mail rather than post, both with clients, advisers, banks and investment providers. We would encourage you and your contacts to use e-mail in place of post in case we are unable to access our post. If you need to send personal or confidential information then we would suggest that you use our Lawconnect service, which allows you to send messages and files to us more securely than regular e-mail. Please contact your key contact if you need this setting up for you.

Much of the post that we receive is simply scanned for our records and needs no action. However, we do receive a lot of cheques and documents that require our signature.

Cheques needing our signature

Where we act as professional trustee, we must authorise bank transactions, and this means that our offices receive cheques by post every day for countersigning. If an office closes, even with post redirection there could be delays in processing cheques, although as mentioned above we would expect this to be minimal.

To help us provide as much service continuity as possible, you may wish to consider an alternative approach to sending cheques for countersignature:

- For regular payments of known amounts, you could write out post-dated cheques covering the next few months' worth of payments and send those in for countersignature. Please note that we will not sign blank cheques in case post is intercepted.
- You could consider setting up Direct Debits for those expenses that can be collected that way, such as VAT payments and utility bills relating to scheme property.
- If the scheme makes a lot of ad hoc payments by cheque, then in some instances it might be possible to settle that expenditure using company or personal funds and then obtain a reimbursement from the scheme at an appropriate time. There will need to be a proper audit trail, so do keep copy invoices and proof of payment.
- We may be able to draft, sign and send on a bank transfer to you as an alternative to signing a cheque. This will depend on the bank and it might also incur a bank fee.

Documents needing our signature

As well as cheques, we also receive other documents for signature such as trust documentation, leases, property contracts and other investment transaction paperwork. As before, we would expect post redirection to resolve most issues should there be a prolonged shut down, however there are some potential alternatives to consider:

- Most trust documentation can have an effective date even if they are signed later, and so we are not unduly worried if there is a delay in executing trust documentation.
- Contracts such as leases can often be signed by counterpart, meaning that different parties to the contract can sign their own individual copies (the counterparts) and the contract is valid once the various counterparts are signed and collated. With the prior agreement of the parties and the solicitors, this means that we can sign our own emailed copy of the documentation rather than adding our signature to an original posted to us.
- Alternatively, we have very occasionally been able to execute documents using electronic signature at the instigation of the trustees' solicitor.
- For investment transactions, it is worth exploring either an emailed instruction or an instruction signed in counterpart.

Meetings at our offices

For many of our clients, face-to-face meetings are an important part of moving things forward, but we recognise that this might not always be feasible. We have facilities available for telephone conferencing, which are important for many of our clients from an environmental and efficiency point of view.

We continue to meet with our clients in person where the fee earner involved believes it to be essential and where there is no realistic alternative and taking account of the UK Government guidelines. It is likely, however, that during this time you will be asked to join us by telephone or video conference and whilst this is not ideal, we would ask for your understanding in this as it allows us to comply as far as possible with the Government guidance and allows us to keep our staff as safe as possible.

It is important that we take these proactive steps to minimise the spread of COVID-19. We will react proportionately to ensure that we continue to provide the excellent service that our clients expect in delivering against your key objectives and priorities.

We will continue to monitor the situation as it develops and will take the appropriate action as necessary. We want you to know how much we appreciate your flexibility and understanding during this time. Should you have any queries whatsoever, please speak with your key contact(s) at Lovedays Solicitors as soon as possible.