

Litigation Flowchart

Stage (1) - INITIAL STEPS

Step 1: Check your insurance position

Managing Trustees (MTs) contact their insurer.
Are you covered under your insurance policy for the type of claim you wish to pursue or that has been issued against you?
Will any legal costs be covered by your insurer?
(See Step 1 on the Litigation page for further details.)

Insurer provides initial guidance.



Step 2: Notify TMCP

MTs confirm to TMCP the Managing Trustee body involved in the Litigation, the name of the property concerned and nature of dispute.

TMCP provide guidance.



Step 3: Consider whether claim can be settled

MTs to consider if in best interests to pursue claim in light of initial advice from insurers and legal advisers.

Legal adviser advises on how to proceed in charity's best interests.



Stage (2) - OBTAINING CONSENT OF CONNEXIONAL TEAM UNDER STANDING ORDER 931(5)

Step 4: Gather the evidence to support a request for consent

1. Pass a resolution locally authorising the MTs to proceed
2. Obtain and consider legal advice on the issue.

(See Step 4 on the Litigation page for further details.)

TMCP will assist MTs and provide [Template Resolution*](#).

Legal adviser appointed and provides advice on merits versus risks and costs.



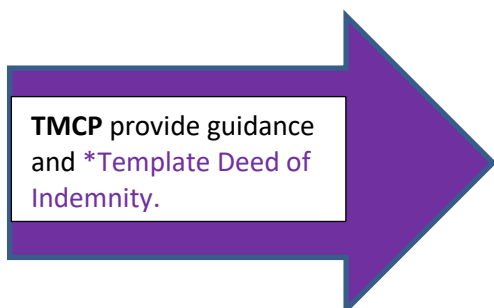
Step 5: Requesting Connexional Team consent

MTs provide resolution and legal advice to TMCP and ask TMCP to assist in requesting required consent of Connexional Team.



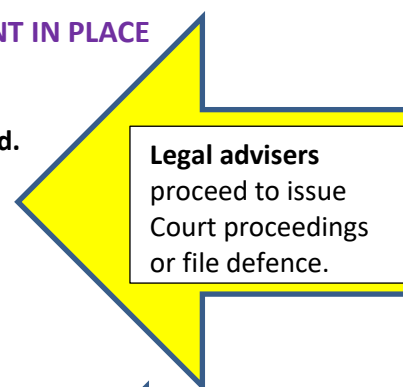
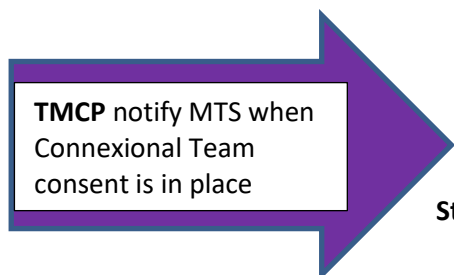
Step 6: Deed of indemnity – ONLY required if TMCP to be party to claim

MTs arrange for Deed of Indemnity to be signed by two authorised Managing Trustees and sent to TMCP.



(Stage 3) CONNEXIONAL TEAM CONSENT IN PLACE

Step 7: MTs instruct legal advisers to proceed.



Step 8: Keep TMCP updated
MTs keep TMCP updated until litigation or ADR concludes.

