

WBL Logbook Sheet Template

Competency e.g. 1	Learning Outcome e.g. 1.1	Example Number
2	2.3	1
Evidence provided		
e.g. letter to client dated 01.01.2017, Telephone attendance note dated 01.01.2017		
Email trail dated from 11.07.2022 to 18.07.2022		
Explain how the example meets the learning Outcome and how the evidence shows this		
<p>Identify and address all issues:</p> <p>My client requested advice about a supplier who had advised them that they had gone into administration. My client had paid over £12,000 for furniture that had not been delivered. One of the factual issues that I addressed initially was what the supplier's full company name was or registered address. After searching on Companies House for the name initially provided, there was multiple results so I needed to clarify this.</p> <p>After looking at Companies House to see if there was any information about the supplier entering into administration, I identified that I needed to address a factual issue because there was no updated information on Companies House. I asked the client how they found out that the company had gone into administration, because this could have an effect on how I deal with the matter. If the company had not officially gone into administration we could potentially file a claim against the supplier to recover the money paid. Additionally, as there was a lack of information on Companies House, a factual issue that I addressed was whether the company had gone into voluntary liquidation.</p> <p>I also identified a factual/legal issue with the information that my client had provided me with. Initially they stated that the supplier had gone into administration, and then later they stated that the supplier had gone into liquidation. Upon doing my research, I established that the two are different, so I needed them to clarify what exactly the director of the company had told them over the phone.</p> <p>Another factual issue was what the contract that the parties had entered into said about insolvency and termination.</p> <p>Apply relevant law/procedure in the context of your communication:</p> <p>The client advised that the director stated the company had gone into liquidation, and the confirmation was sent via email.</p> <p>Evidenced in my email dated 18.07.2022, I applied the Insolvency Act 1986 to the advice that I gave my client, as it states that assets will be realised and distributed in the order of priority set out in the Act. After looking at the company information on</p>		



Companies House, I realised that a bank had a fixed charge over the company. I advised that the bank would be given priority when the insolvency practitioner is distributing assets to debtors. Given that the client was also an unsecured creditor, I made it clear that they would not be a priority when funds were being distributed.

I also applied procedure to the matter because I clearly set out what steps should be taken, and what the next steps would be based on the response received from the director in relation to whether the company had officially entered into liquidation and if yes, who the insolvency practitioner was.

Reflection and evaluation

Describe what you learnt from the activity you undertook to meet the Learning Outcome. You may want to complete this section at a later date once you have had time to reflect on your practice and experience.

I learnt to pay attention to the details of the emails that clients send. As the majority of my clients are not within the legal profession, jargon such as administration and liquidation can easily be mixed up without realising. Making it clear to the client that I need to take accurate instructions is important. Additionally, to deal with a matter fully I must ensure that I address all legal, factual or evidential issues that arise within the matter.

Date work completed: (i.e. evidence date)	18/07/2022	
Applicant's Name Please print name	Applicant's signature I confirm that the work within the evidence is my own work	Date
		Click here to enter a date.
Supervisor's Name Please print name	Supervisor's signature I confirm that I supervised the applicant's work referred to within the logbook sheet and the evidence	Date
		Click here to enter a date.

[REDACTED]
Sent: 18 July 2022 11:43

To: [REDACTED]
Subject: RE [REDACTED] | [REDACTED] supplier administration query

Hi [REDACTED]

We need to understand the full position of [REDACTED] as I have checked Companies House again and there aren't any changes on there, and the company is still active. The company website is also still active.

I would suggest that you send an email to the director setting out the background, such as that you received a call from them on X date and they advised they had gone into liquidation. You can then add that you paid £12,968 for furniture for the [REDACTED] project that has not been delivered. Finally, you should ask them to confirm whether they have appointed a liquidator or an administrator. If they have, request that they send you the details as soon as possible. If they have not appointed an administrator, it would be useful to understand why a process of voluntary liquidation has been started.

If they send over the details of an insolvency practitioner, we can make representations to them that [REDACTED] have taken money from us for the furniture and not delivered it. Ideally we want our money back, however as an unsecured creditor we may only get a fraction of the money. It is important that we get this information in writing, so if the director calls you following the email, request that they put it in writing to you instead.

If they haven't technically gone into liquidation or administration, we can send an urgent email to our colleagues in the Litigation team to advise of the supplier's financial difficulty. The next step might be to issue a claim against [REDACTED] to try to recover the sum of money paid because the goods have not been delivered.

Please can you also send a copy of the contract that you entered into with [REDACTED], as we may want to look at the termination clause in relation to insolvency.

Unfortunately from looking at Companies House I can see that [REDACTED] have a fixed charge registered against [REDACTED]. This means that [REDACTED] will be the first to receive their money back from insolvency proceedings. Under the Insolvency Act 1986 there is an order of priority in which assets are realised and distributed, and as I mentioned earlier, as an unsecured creditor we will not be prioritised.

Next steps

To make it clear, the next steps you should take are:

- Send an email to the director of [REDACTED] with the information stated above
- Contact the Finance team if you would like additional information on [REDACTED] or for a credit check
- I assume you have already done so, but make other colleagues that may use this supplier aware of the financial issues so that no more money is paid to them

Please let me know if you have any questions about the above. At this stage the matter is time sensitive because we may have a better chance of recovery some of the money if they have not officially gone into liquidation or administration. The sooner the email can be sent to the director, the better.

Kind regards

[REDACTED]

[REDACTED]

Sent: 11 July 2022 15:23

[REDACTED]

Subject: RE: [REDACTED] | [REDACTED]: supplier administration query

Hi [REDACTED]

Yes, my colleague [REDACTED] was informed by one of the directors of [REDACTED] over the telephone that they'd gone into administration [REDACTED] – please could you just confirm the exact details for [REDACTED] Thank you).

I've also attached the email you mention, but it was just a background note explaining the situation to one of our colleagues and my line manager, so I'm not sure it will be of much use.

Kind regards

[REDACTED]

[REDACTED]

Sent: 11 July 2022 15:21

To: [REDACTED] <[REDACTED]>
Subject: RE: [REDACTED] | [REDACTED]: supplier administration query

Thanks [REDACTED] Were you informed by someone that the company had gone into administration?

Please can you also send the email that you had originally attached to the Procurement team if it is still relevant.

Many thanks



Sent: 11 July 2022 13:53



Subject: RE: [REDACTED]: supplier administration query

Hi [REDACTED]

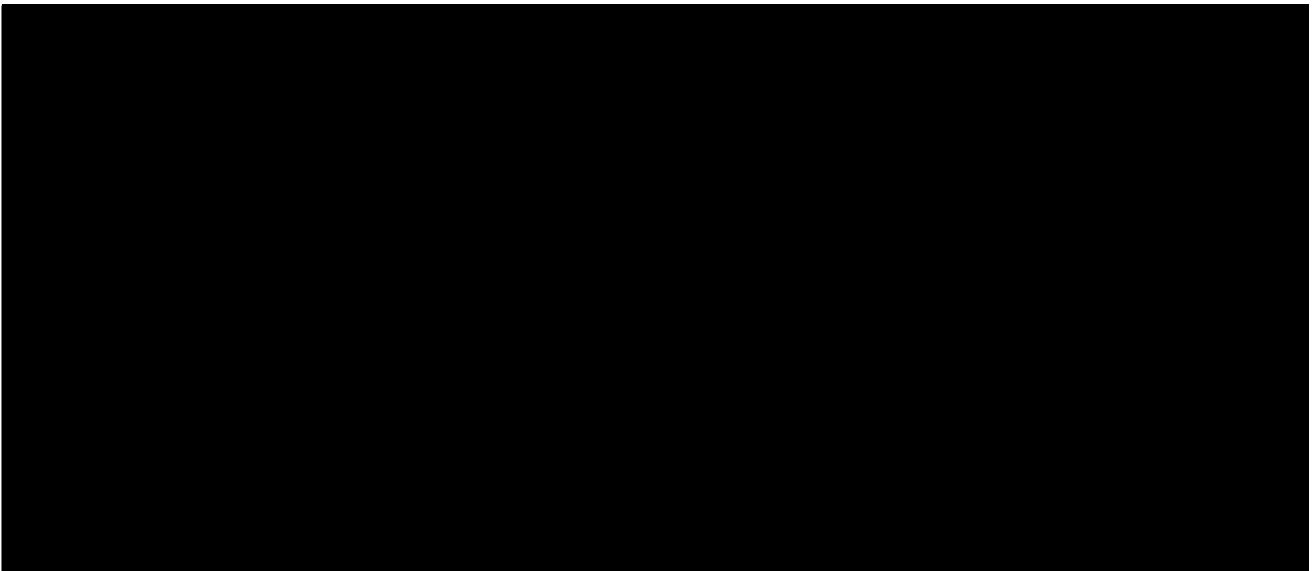
Of course, please see below:

- Website: [REDACTED]
- Companies House Registration: [REDACTED]

I can't see anything on their website or their CH record that suggests they've gone into administration, but I'm not sure if this is standard practice in the early stages? Will await your thoughts.

Thank you very much in advance for your help.

Kind regards



Sent: 11 July 2022 12:25

To: [REDACTED] <[REDACTED]> [REDACTED]

Subject: RE: [REDACTED]: supplier administration query

Hi [REDACTED]

Please can you provide me with further details about [REDACTED] such as their address or company number. I have searched Companies House but there are lots of companies called [REDACTED]

Kind regards

[REDACTED]

Sent: 05 July 2022 14:37

To: [REDACTED] <[REDACTED]>

Subject: RE: [REDACTED]: supplier administration query

Dear [REDACTED]

Thank you for your instructions, the fee earner dealing with this matter [REDACTED] whom is copied into this email. Generally, our lead time is 10 working days however, we are unable to access our systems so response may be delayed by a few additional days.

If you have any further queries relating to this matter, please contact [REDACTED] directly.

Kind regards

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Subject: FW: [REDACTED]: supplier administration query

Dear team

Please could I ask for your advice on an issue whereby one of our show home suppliers has gone into administration, taking a sum of circa £12,968 with them which we paid in order to facilitate the ordering of furniture, fixtures and fittings for a showhome? This has meant we're now £12,968 short on our budget, with nothing to show for the lost funds as the supplier took the money to order the items and 'folded' before they delivered them to us.

Is there anything we can do to perhaps lodge a claim with the administrators to see if we can recoup any costs?

Please do let me know if you require any further information.

Many thanks in advance.

Kind regards

[Redacted]

[Redacted]

[Redacted]

[Redacted]