

Key Considerations in a Professional Negligence or Reputational Dispute

Providing the relevant documents and information at an early stage can help your solicitor assess the strength of your position, the urgency of the matter and the most appropriate response.



The Professional's Instructions

Gather the engagement letter, contract, terms of business and any documents setting out the work the professional agreed to undertake. These records help establish the scope of their responsibilities.



The Alleged Failure

Explain what the professional did, or failed to do, and why you believe their work fell below the expected standard. A clear chronology can help identify the central issues quickly.



The Resulting Loss

Consider what financial or commercial loss arose from the alleged failure. It will usually be necessary to show a connection between the professional's conduct and the loss being claimed.



Relevant Evidence

Preserve contracts, advice, reports, correspondence, meeting notes and financial records. Professional negligence disputes may also require independent expert evidence about the standard of work provided.



Insurance

Professional services businesses should check whether the matter needs to be reported to their professional indemnity insurer. Notification requirements should be considered promptly to avoid affecting insurance cover.

The Words or Material Published

Keep an exact copy of the statement, post, review, email or publication in dispute. Screenshots should show the wording, date, account or publisher and any available information about its audience.

The Extent of Publication

Identify where the material appeared and who is likely to have seen or received it. This will help assess the potential reputational and commercial impact.

The Harm Caused

Record lost customers, cancelled opportunities, complaints or other consequences connected with the publication. Businesses bringing a defamation claim may need evidence of serious financial loss.

The Outcome You Need

Consider whether your priority is compensation, removal of content, an apology, a correction or an undertaking that the conduct will not be repeated. Different objectives may require different legal and settlement strategies.



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