The Omnitrack Undertaking Register

What is an undertaking?

An undertaking is a type of promise made by a solicitor. The statement need not be in writing, or include the word "undertaking", but it must be:

- Made by the solicitor in their capacity as a solicitor
- A commitment that the solicitor or a third party will carry out, cause to be carried out, or refrain from carrying out an act
- Made to someone who reasonably places reliance on it

Undertakings are frequently used by property lawyers, such as a seller's solicitor assuring the buyer's solicitor that they will redeem their client's mortgage on the completion of a sale. But undertakings can also arise in other practice areas, such as litigation. For example, a solicitor could undertake not to disclose confidential information relating to a case, or to discuss its details with specific colleagues.

Importance of tracking undertakings

The SRA's Code of Conduct provides that both solicitors and firms must:

> “perform all undertakings given by [them]... and do so within an agreed timescale or if no timescale has been agreed then within a reasonable amount of time.”

A solicitor who fails to do so may find that they or their firm are subject to SRA disciplinary proceedings. The person who relied on the undertaking can also try to enforce it in court.

But a central record to monitor all undertakings can help to prevent a breach, as well as the serious consequences which may follow.

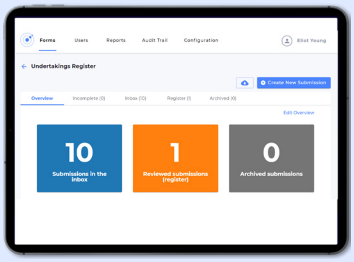
How can we help?

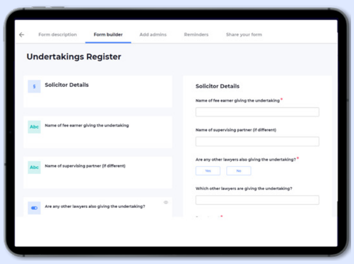
With Omnitrack, it's easy to record undertakings when they are given by your firm, and to keep track of any which have not yet been discharged

Features

Built on best practice

The questionnaire encourages lawyers to anticipate issues before they arise, making it less likely for breaches to occur. For example, users are asked to consider and document any deadlines for performing the undertaking. Similarly, admins can review the user's proposed undertaking, and decide whether the promise is one the firm is likely to be able to deliver.





100% customisable

While the form is based on best-practice, it can also be adapted to suit your needs. You can alter questions or provide links to internal guidance or to the SRA's Codes of Conduct.

Conditional logic

The form adapts as it is completed, so users are only asked relevant questions. For example, a partner who wants to record an undertaking they have already given need only complete a shortened version of the form. But an associate will need to provide more information (such as draft wording) before the firm authorises their undertaking.

Admin Review

Once a user completes the form, admins can assess the risks involved and decide whether to approve the proposed undertaking. They can later mark undertakings as discharged or breached, add deadlines, or send information requests to the user.

Track status of undertakings

The graphical dashboard provides an overview of all undertakings and their current statuses, including whether or not they have been reviewed. The dashboard can also be used to generate reports or identify missing information.

For more information or to book a demo contact enquiries@vinciworks.com

VinciWorks also offers a complete SRA Standards and Regulations training suite. ***Learn more here.***