

Breach report decision matrix for COLPs and COFAs

Breach description	Summary of internal investigation ¹	2011 SRA Guidance ²	Subsequent SRA Guidance ³	External advice ⁴	Other relevant factors ⁵	Conclusion: reportable or just recordable? ⁶

¹ Note that the reporting trigger may occur before an investigation is complete, if you reasonably believe there are facts or matters that *should* be brought to the SRA's attention.

² Take account of factors such as: (a) the detriment, or risk of detriment, to clients; (b) the extent of any risk of loss of confidence in the firm or in the provision of legal services; (c) the scale of the issue; (d) the overall impact on the firm, its clients and third parties.

³ See aggravating and mitigating factors in the [SRA Enforcement Strategy](#) and any updated [Guidance](#).

⁴ E.g. Professional Ethics; [compliance support](#); local Law Society forums

⁵ E.g. "If I don't report this, will it keep me awake at night?"; "Can I defend a decision to not report?"; "Am I trying to convince myself that this is not reportable?"

⁶ In marginal cases you should err on the side of reporting