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Claims against Directors ^[1]

For clear, practical advice contact a Solicitor you can trust



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As a director you are under a duty to act in the best interests of the company and its shareholders. However, once you form the view that the company is in financial difficulties or is irredeemably insolvent, your duty is to act in the interest of the company's creditors. Failure to comply with this duty notwithstanding the limited liability status of a Company can expose directors to the risk of personal liability for any losses sustained by the company's creditors following its insolvency.

Common claims that can be brought against directors are:

- Claims under the Insolvency Act such as **wrongful trading, misfeasance or fraudulent trading** ^[3]
- Claims under the Companies Act for **breach of duties**
- Directors Disqualification Proceedings ^[4]
- Claims for repayment of director's **overdrawn loan accounts**
- Claims for the recovery of **dividends paid** out in excess of distributable reserves
- Personal Guarantee Claims

It is very important to seek advice sooner rather than later.

At Sydney Mitchell we are able to assist you with clear practical advice in all of the above claims.

For advice on any of the above matters please contact

Leanne Schneider-Rose, Partner **on 08081668827**

l.schneider-rose@sydneymitchell.co.uk ^[5]

Links

[1] <https://www.sydneymitchell.co.uk/services-individuals/claims-against-directors>

[2] <https://www.sydney-mitchell.co.uk/contact>

[3] <https://www.sydney-mitchell.co.uk/wrongful-trading-misfeasance-or-fraudulent-trading>

[4] <https://www.sydney-mitchell.co.uk/services-individuals/director-disqualification-proceedings>

[5] <mailto:l.schneider-rose@sydney-mitchell.co.uk>