

# Your route through Contra-Charge Prevention

A sample report, built from invented answers, to show what yours will look like.

This report is based only on your answers, before we have seen any of your papers. It is not legal advice, and you should not rely on any date or time limit in it: check every date against your subcontract. Legal questions go to your solicitor.

## Where you stand

You already check your notices the day they arrive. In your routine, the first thing to fix is answering each deduction in writing within the week, while the facts are fresh.

Charges keep coming, and most have not been answered in writing. Some already taken may still be worth answering, though each gets harder to reopen as the facts go stale. When we check how your deductions are handled now, we list those charges with their sums. You then decide whether to pursue them through Contra-Charge Claim.

Your answers suggest nothing signed fixes the state of an area on the day your team leaves it. That is the gap damage charges come through, because they usually turn on who was last in the area.

Your answers suggest defect notices are not always answered in writing. Charges for defects put right by others come through that gap. The file shows a notice given and nothing done, and the charge that follows is hard to resist.

Your charges are a mix, often round sums with no build-up behind them. A round sum is an assertion, not a cost. Asking in writing for the build-up is the first test, and a charge that cannot be built up often shrinks or goes.

For some jobs you have no signed subcontract, so your team may be working to terms that do not apply. If the terms themselves are disputed, which terms apply is a question for your solicitor.

Many subcontracts amend the standard form, and some widen the right to deduct well beyond it. Rules taken from the standard form or another job can be wrong where it matters.

## What to do now

In order of priority.

### 1. Challenge every deduction in writing the week it lands

**Why:** A short written challenge keeps every line open while the facts are fresh, and asks your main contractor to show its case. Left unanswered, a deduction may be read as accepted, and by the final account the facts that would have answered it have usually gone.

**How:** Log each new deduction in one list the day the notice arrives. Note the date, the sum, what it is for

and the notice it came in. Within the week, write asking for the clause it relies on, any notice to remedy, the evidence and the build-up. The build-up means who did the work, when, the hours, the rate and the invoice. Say you reserve your position, and chase anything unanswered by the next payment cycle. Our free Set-Off Response Schedule sets the challenge out line by line.

## **2. List the charges already taken, with their dates and sums**

**Why:** A list shows what the charges have cost you and which may still be worth answering. Each one is easier to answer while your site team still remembers it.

**How:** Go back through the Payment Notices and Pay Less Notices on each job. For each deduction, note the date, the sum, what it was for and the notice it came in. Do not agree any of them yet. A simple table is enough. Whether to pursue them is a separate decision, and Contra-Charge Claim is built for that.

## **3. Find the signed subcontract for each job, with its amendments**

**Why:** What your main contractor may deduct, and what it must do first, comes from the signed terms and their amendments, not from the standard form.

**How:** Look in the order email or the job's commercial folder, and check the schedule of amendments is attached. If you cannot find it, ask your main contractor in writing for a copy. If a job was never signed, keep the order, any letter of intent and the last version each side sent. Keep each as the email that carried it.

## **4. Write down what each subcontract lets your main contractor deduct**

**Why:** A charge can only be tested against rules you know. Most rights to deduct come with conditions, such as a notice given in time or a chance to fix a defect yourself. A charge that skips one is exposed.

**How:** Open each signed subcontract at its set-off, defects and payment clauses, and any schedule of amendments. For each job, note what your main contractor may deduct and the notice it must give first. Note whether you get a chance to put a defect right, and the last day for a Pay Less Notice. Keep it to one page per job, beside the payment paperwork.

## **5. Answer every defect notice in writing within the week, with a date**

**Why:** Most subcontracts let your main contractor bring in others at your cost only after two things. It must tell you about the defect, and give you a fair chance to fix it. A written reply keeps the repair, and its cost, in your hands.

**How:** Log every notice or snag list naming your work the day it arrives. Reply in writing within the week. Accept it and give a date to attend, or dispute it and say why, with any handover sheet or photograph. Attend on the date you gave, and record the close-out with a signature or dated photographs.

## **6. Get each finished area signed off before the next trade moves in**

**Why:** A signed handover with dated photographs fixes the state of an area on the day you left it. It turns an argument about memory into a comparison of two dated records.

**How:** Walk each finished area with the main contractor's site manager, and note its condition on a one-page sheet. Take dated photographs from fixed positions, wide shot first. Ask the site manager to sign the sheet. If they will not, email them that day saying the area was handed over, with the photographs attached.

## 7. Name who opens the notices, who answers them, and who covers each

**Why:** A deduction is lost when the notice sits in one inbox and the person who could answer it never sees it. A step nobody owns is the one that slips in a holiday fortnight or a busy month.

**How:** Write down, by role, who opens the payment paperwork, who logs the deductions, who answers your main contractor and who signs a challenge. Put a deputy against each one, and make sure the notices reach both.

## 8. Keep every notice and charge exactly as it arrived

**Why:** If a deduction is ever disputed, it turns on dates: when the notice came, and when you answered it. The original email or portal record keeps its date and time; a forwarded copy or a printout may not.

**How:** Make one folder for each job. Save each notice and charge as the email or portal record it came in. Save each reply as the email that sent it. Do not edit or rename the attachments.

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## What to gather

Everything the work is built from. Copies are fine: send what you have and we will tell you what is missing.

- **The signed subcontract. You said you do not have this yet.** A complete PDF with all schedules and amendments, the set-off, defects and payment clauses included.  
Where to find it: The commercial folder or the order email normally holds the signed copy.
- **The last three Payment Notices and Pay Less Notices.** As received, with the emails that carried them, dates intact.  
Where to find it: The payment folder for the job, or the inbox of whoever receives the main contractor's payment paperwork.
- **Any contra-charges already taken, and anything said about them.** The schedule or line items, and any emails, letters or meeting notes about them, as they stand.  
Where to find it: The payment paperwork, the commercial inbox and the site manager's correspondence.
- **How your site team hands over finished areas today.** Whatever exists: handover sheets, snag lists, photographs, or a note that nothing is signed.  
Where to find it: The site office files, the site manager's phone and the snagging folder.
- **Who receives notices and who can reply.** Names and roles: who opens the payment paperwork, who answers the main contractor, and who can sign a challenge.  
Where to find it: This is rarely written down. A short email from you is enough.

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## Why Quantsurv

You can do a good deal of this yourself, and the steps above show how. If you would rather have it done for you, or want the notices checked before you act, this is the work we do.

- **Specialists in exactly this.** We work only for subcontractors, on the claims and disputes that cost them money. Behind it: 10 years on the commercial side of construction, and £100m+ of construction projects worked on.

- **A fixed fee, agreed first.** We never bill by the hour. Fixed set-up fee agreed in writing before work starts. Optional monthly checks have a fixed fee agreed first. Pause between jobs or stop at month-end. If the work runs over, the cost is ours, not yours.
- **Fast where it matters.** Ten working days. A fixed fee also gives us every reason to finish quickly.

## How Contra-Charge Prevention would run for you

The whole service, step by step. Where your answers decide a route, it is shown under the step it belongs to.

### Step 01 You tell us about your jobs and how deductions are handled now

One call on your jobs, your subcontracts and the charges you have already seen. The first conversation is free and commits you to nothing.

### Step 02 We confirm the scope and the fixed fee in writing

We confirm which jobs are covered, what we will set up, the fixed fee and the timetable. It is all in writing before any work starts.

**What you get:** A written scope, fixed fee and timetable

### Step 03 You decide whether to go ahead

You have the scope, the fee and the timetable in writing. Nothing starts until you say so.

### Step 04 You send us the paperwork

We build the routine from the list below: what your subcontract allows, and how deductions actually reach your account.

- **If the signed subcontract cannot be found:** we ask your main contractor for a copy in writing. Until it comes, we work from the last version exchanged and mark each rule taken from it as unconfirmed.

### Step 05 We map what your subcontract lets them deduct

We put the set-off clause, the notice and remedy conditions, the defects clauses and the payment notice timetable on one page. It shows what can be taken, what must happen first, and the date each challenge has to go in by.

**What you get:** The one-page deduction rules for each subcontract, with the date each challenge must go in by

### Step 06 We check how deductions are handled now against your subcontract

We lay your recent notices and the charges already taken against the one-page rules. We find where a challenge was missed or late, and where no record existed to answer a charge.

**What you get:** A written note of where deductions have slipped through, and why

- **If past charges look worth getting back but no date is pressing:** we list them with their sums, so you can decide whether Contra-Charge Claim is worth it.

### Step 07 We set up the register and the challenge letters

We set up a deductions register on your systems. We write a standard challenge asking for the basis, notice, evidence and build-up of each charge, and a reply for every notice to remedy. Each one uses your subcontract's own terms.

**What you get:** The deductions register, the standard challenge letter and the notice to remedy reply

- **Where a notice to remedy arrives:** the standard reply gives a date to attend or says why the defect is not yours, so the repair stays in your hands.

### **Step 08 We set up the records that answer back-charges**

Signed handovers of finished areas, dated photographs before the next trade moves in, and attendance and cleaning records. We shape them from what your site team already keeps, so the routine survives the busy weeks.

**What you get:** The handover sheet, the photograph routine and the attendance and cleaning records, set up for your site team

- **If your site team signs nothing at handover today:** we start with one handover sheet and dated photographs of each finished area, then add the rest once that habit sticks.

### **Step 09 We walk your team through it**

We take the people named in the routine through the register, the challenge letter and the record sheets, using your own charges as the examples. Every step has a named person and a deputy.

**What you get:** The written routine, with a named person and a deputy for every step

### **Step 10 You run it on your next payment cycle**

Your team logs every deduction the day the notice arrives and sends each challenge within the week. We sit alongside as it happens.

### **Step 11 We check the live run and correct anything it shows**

We check every deduction was logged the same day and every challenge sent within the week. We fix anything the routine missed before handover.

**What you get:** The corrected routine, proven on a live payment cycle

### **Step 12 You decide whether to add the Ongoing check**

Your team runs the routine from the written handover. The optional Ongoing check is a second pair of eyes on it each month.

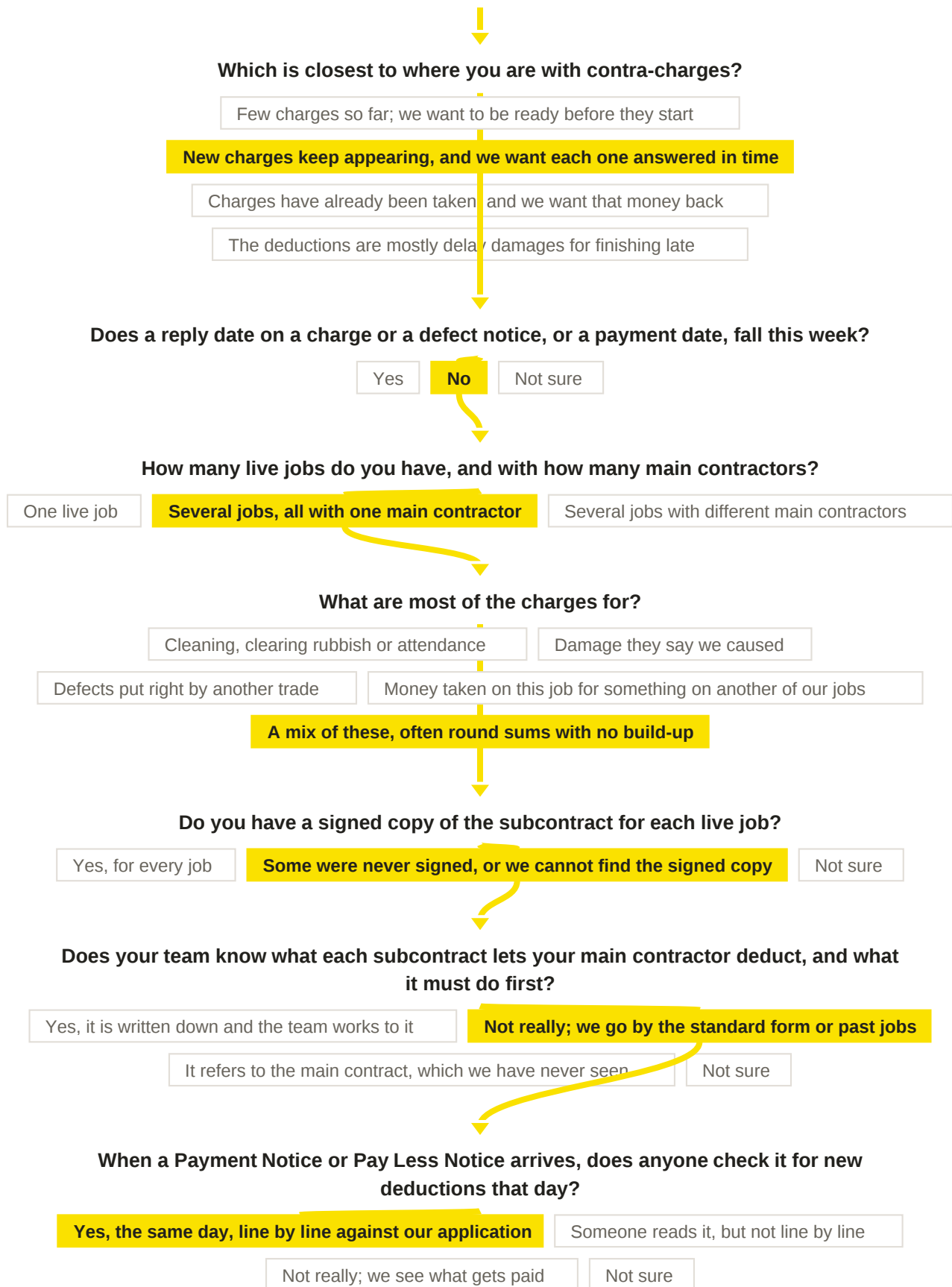
### **Step 13 We hand over a routine your team runs**

You receive a one-page guide to permitted deductions and required notices, supported by a charge register, challenge templates and a handover evidence checklist. We test the routine and record a named owner and deputy.

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## **Your path through the questions**

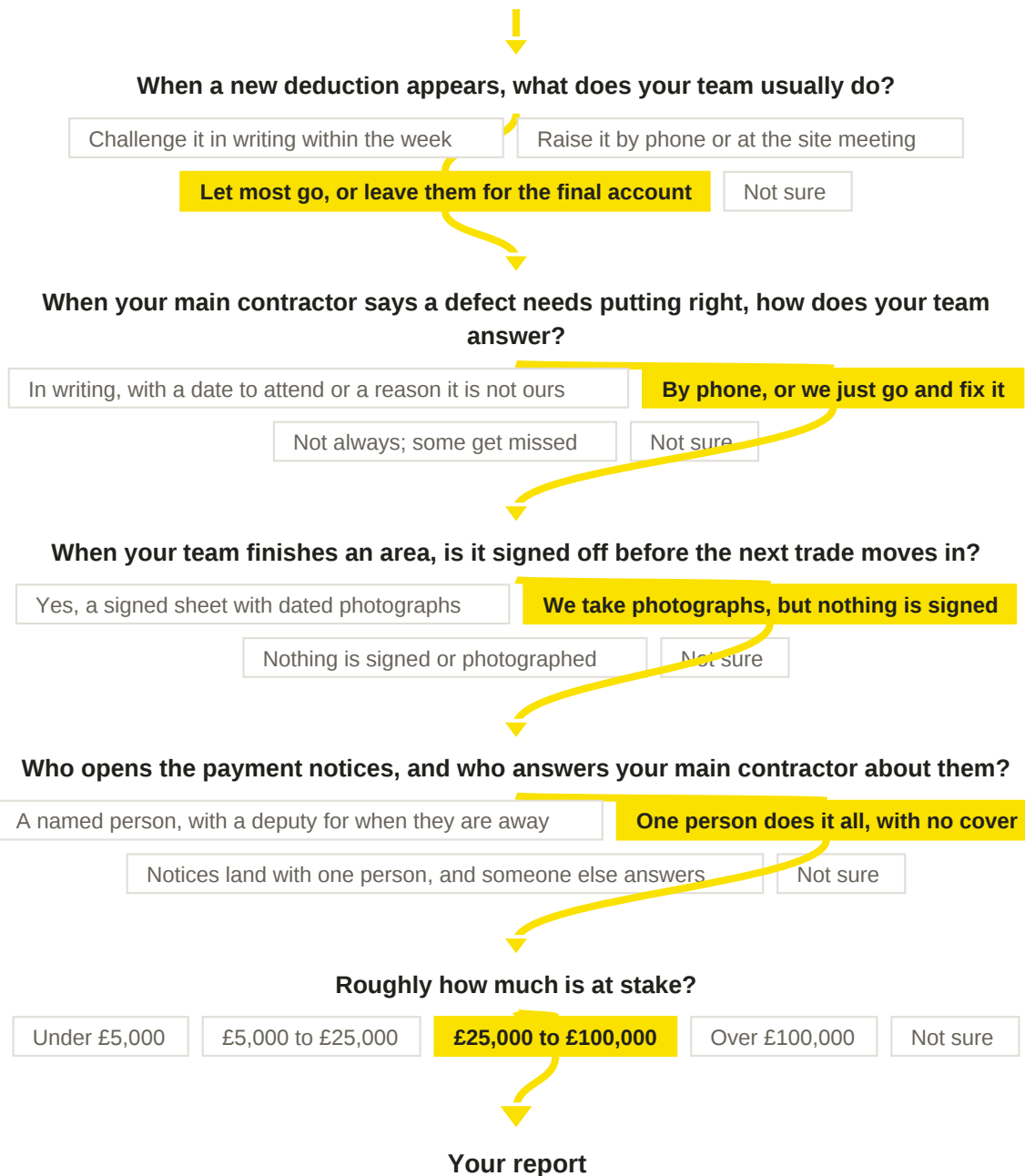
The questions you answered, in order, as the page drew them. Your answers are in yellow, with the line running through them.



The flowchart consists of several questions with multiple-choice answers. Yellow boxes highlight the selected answers, and yellow arrows show the path through the form. The questions and their options are as follows:

- Which is closest to where you are with contra-charges?**
  - Few charges so far; we want to be ready before they start
  - New charges keep appearing, and we want each one answered in time**
  - Charges have already been taken and we want that money back
  - The deductions are mostly delay damages for finishing late
- Does a reply date on a charge or a defect notice, or a payment date, fall this week?**
  - Yes
  - No**
  - Not sure
- How many live jobs do you have, and with how many main contractors?**
  - One live job
  - Several jobs, all with one main contractor**
  - Several jobs with different main contractors
- What are most of the charges for?**
  - Cleaning, clearing rubbish or attendance
  - Damage they say we caused
  - Defects put right by another trade
  - Money taken on this job for something on another of our jobs
  - A mix of these, often round sums with no build-up**
- Do you have a signed copy of the subcontract for each live job?**
  - Yes, for every job
  - Some were never signed, or we cannot find the signed copy**
  - Not sure
- Does your team know what each subcontract lets your main contractor deduct, and what it must do first?**
  - Yes, it is written down and the team works to it
  - Not really; we go by the standard form or past jobs**
  - It refers to the main contract, which we have never seen
  - Not sure
- When a Payment Notice or Pay Less Notice arrives, does anyone check it for new deductions that day?**
  - Yes, the same day, line by line against our application**
  - Someone reads it, but not line by line
  - Not really; we see what gets paid
  - Not sure

The flowchart starts with a yellow arrow pointing down to the first question. It then follows the path of the selected answers: from 'New charges keep appearing...' to 'No', then to 'Several jobs, all with one main contractor', then to 'A mix of these...', then to 'Some were never signed...', then to 'Not really; we go by the standard form or past jobs', and finally to 'Yes, the same day, line by line against our application'.



## Next step

**The first conversation is free and commits you to nothing.** Reply to the email this report came with, or email [contact@quantsurv.com](mailto:contact@quantsurv.com), and we will already have your answers.