ICAEW Accreditation Scheme

Intelligent Document Creation Systems Evaluation

Arken.legal (UK) Ltd

Arken Release Version 5.4

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Date completed: October 2018

Signed:

Table of Contents

Section 16 contains additional questions for SaaS providers
The ICAEW recommend that potential users undertake relevant financial and suitability due diligence on software and service providers.

1 Summary

1.1 Introduction

The suitability of Intelligent Document Creation software for any specific user will always be dependent upon that user's individual requirements. These requirements should therefore always be fully considered before software is acquired. The quality of the software developers or suppliers should also be considered at the onset.

1.2 Fundamentally, Intelligent Document Creation software should:

- Be capable of providing the document creation and processing functions for which it was designed.
- Provide capture and collation of relevant data via a secure method.
- Provide facilities to ensure the completeness, accuracy, confidentiality and continued integrity of the document creation functions.
- Be effectively supported and maintained.

It is also desirable that an Intelligent Document Creation system should:

- Be easy to learn, understand and operate.
- Make best practical use of available resources.
- Accommodate limited changes to reflect specific user requirements.

It is essential, when software is implemented, for appropriate support and training to be available.

2 Approach to evaluation

2.1 Objective
To evaluate Arken against a set of criteria developed by the ICAEW to ensure that the software meets the requirements of electronic data collection and document generation software, as laid down in the summary.

2.2 Approach and Work performed
In order to effectively evaluate Arken, a specialist from Arken.legal (UK) Ltd completed the detailed questionnaire and provided it to the evaluator to examine. The evaluator, in conjunction with the operation of the various aspects of the software assisted by a member of the supplier's technical staff, checked the answers to confirm their validity. The questions were individually reviewed and commented on and the majority of assessments were confirmed.

The evaluator discussed the assessments with a member of Arken.legal Ltd staff in order to clarify certain points. In the event of disagreement between Arken.legal Ltd and the evaluator, the evaluator's decision was taken as final and the response changed accordingly.

Arken Release version 5.4 was used throughout the evaluation. The evaluation covered the main product.

When the evaluation had been completed, the responses were included by the evaluator and a draft copy sent to the ICAEW for review before completion of the final report.

2.3   Data collection
This evaluation covers the software and not the methods employed by the Software House to store and manage the data it collects, nor the method by which it is delivered and/or contracted for. Potential users need to satisfy themselves on security and any data protection issues of the data being collected, held and managed on their behalf by the Software House.

2.4   Software/hardware utilised
As this is a SaaS product, only a web browser is required. The latest versions of web browsers are recommended, but some old versions are not supported.
The review was carried out using a Microsoft Surface Book running Windows 10 operating system with 16gb memory and an Intel i7 processor, and Chrome web browser (version 68.0.3440.106).

2.5   Report structure
The report has been broken down into its main constituents in the contents page.
The evaluation questionnaire was provided by the ICAEW and has been used without alteration or amendment.

3   Matters to consider before purchase

3.1   General overview
Arken is a cloud service which enables a user to draft Wills, Lasting and General Powers of Attorney, Expressions of Wishes and Severances of Joint Tenancy for their clients. Users can include an additional subscription to Trust Referencer, a reference tool to advise on the tax (inheritance, capital gains and income tax) implications of a full range of Testamentary and Inter Vivos Trusts. Whilst the accreditation specifically covered the Arken.legal document creation software, Trust Referencer uses the same architecture and web storage, so the responses can, in general apply to this product also. There is however no data input – it is a reference tool used to supplement the output from Arken.legal where a trust may arise from the drafting of the will.

Specifically, the Arken service is used by solicitors, accountants, financial advisers, Will writers, legal service providers and trust companies to draft private client documents.

The Arken Service is comprised of securely delivered, electronic data collection and automatic document generation - software that enables practices to provide an efficient and consistent high-quality service to their clients.

3.2   Supplier background
Arken.legal (UK) Ltd is the successor business to DPL Professional (the trading name of Documents Plus Ltd).

DPL Professional (DPL) was established in 1992 and has established itself as a supplier of Will and Trust systems internationally. DPL claims to be a forerunner in the development of intelligent, interactive, expert systems for document drafting.

Clients range from sole practitioners to corporates and trust companies and solutions have been delivered in the UK, South Africa, Australia and New Zealand.

3.3   Product background and Suitability for user

Arken is the culmination of 25 years' experience in the development and delivery of specialist and expert Will and Trust systems in the UK and internationally. The sophistication and extent of the Arken system is the result of the innovation and experience of the team behind the Arken.legal business together with ongoing engagement with its active user base and continued assessment of feedback.

Arken is supplied as a SaaS product, available on a subscription model combined with a document usage fee.

Arken is a software application that accounting, legal and other practices and businesses use for document drafting in the provision of private client services.

Comprehensive, context-sensitive Help Guides are provided throughout the software, together with controls throughout the system, for example, to ensure no merging of trusts, exempt/non-exempt beneficiaries etc. Arken also includes a specific tutorial facility.

Practices can use Arken to produce a range of private client legal documents.

3.4   Typical implementation
Arken is suitable for private client businesses of any size wishing to draft Wills, Lasting and General Powers of Attorney, Expressions of Wishes and Severances of Joint Tenancy for their clients. Arken may be run on computers and laptops connecting to Arken via an Internet connection.

3.5   Vertical applications
The product can be tailored for solicitors, accountants, will writing businesses, financial advisers and trust corporations and other entities.

3.6   Software and hardware specification

As Arken.legal is a true SaaS business document generation solution the only requirements are an internet connection and a modern web browser. The data is held in London at Amazon Web Services and the servers are hosted at the same place. No minimum workstation specification is specified.

Workstations supported include those running Windows (7 upwards) and browsers recommended include Chrome, Firefox, IE 11+, Edge or Opera. For the MAC OS. browsers recommended include Safari, Chrome and Firefox.

The software is compatible with tablet devices but not suitable for use on mobile phones.

3.7   Software installation and support
Arken does not require specific installation as it runs in a standard Internet Browser.

Support is available during normal business hours 0900 – 1700 via telephone and is provided as part of the subscription charge. For any complex issues that cannot be resolved over the phone the Support Team use remote access software to access the practice's equipment (computer, laptop) and provide whatever assistance is required.

3.8   Partner network and related accreditation process
Arken.legal markets directly to the legal and accounting professions and Will writing businesses and has no sales partners or resellers in the UK.

3.9   Limitations
Arken is aimed at legal/accounting practices and financial/Will writing businesses providing private client services. It allows users to draft Wills, Lasting and General Powers of Attorney, Expressions of Wishes and Severances of Joint Tenancy for their clients.

There are a number of limitations in the product which while not adversely impacting upon this evaluation may be of importance to certain organisations. It is important that any organisation contemplating the purchase of software reviews the functionality described and limitations therein against its detailed requirements. Attention is drawn in particular to the following areas where the product, on its own, may not be suitable for organisations with certain specific requirements:

- The system does not enforce password changes after a period of time. However, current practice encourages complex passwords and not password changes after a certain time.
- No minimum age of a password can be set
- There is no storage of prior passwords to prevent recycling
- There is no "Read only" access (but this is not considered necessary due to the nature of the product)
- The system does display the form preview and the questionnaire side by side but these cannot be displayed on simultaneously on separate screens – however this is by design.
- There is no report writing facility, but this is under development to provide statistical reporting (scheduled for Q1 – 2019 release)

4   Evaluation conclusion

There were no areas in the evaluation that gave concern. Arken version 5.4 is a well-designed package that will be supported direct by Arken.legal.

In terms of the functionality that is present in the current version and the target market for this product, the product has been adequately specified. It is easy to use and flexible in its approach.

Disclaimer
Any organisation considering the purchase of Arken version 5.4 should consider their requirements in the light of proposals from Arken.legal and potential suppliers of other similarly specified products. Whilst the contents of this document are presented in good faith, neither ICAEW, RSM UK nor the Evaluator can accept liability for actions taken as a result of comments made herein.

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	**Supplier Response**	**Evaluator's Comment**

5   Security and continuity of processing

	Question	Supplier Response	Evaluator's Comment
5.1	What security features are included to control access to the software?	User name and Password	Confirmed
5.2	Can access to software application functions be managed so users can only see and access those functions they are authorised to access?	Yes. Arken offers a range of user roles: Primary User – there must be at least one and this role can access all areas of Arken: Drafter – can draft documents Administrator – can manage payments and user profiles Initiator – can set up client profiles and access the data entry area under a client profile to input any names, addresses and specific gift descriptions	Confirmed
5.3	Is this access to the software managed by: 5.3.1 Individual user profiles? 5.3.2 User groups based on their job roles?	Individual user profiles – see details under 5.2 above	Confirmed

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	Supplier Response	Evaluator's Comment	
5.4	**Passwords**			
5.4.1	Is access to the software controlled by password?	Yes	Confirmed	
5.4.2	Please state the basis of control available (e.g., role based, etc).	When setting up a user, the person doing this (a Primary User or Administrator) is required to include a User LogOn and Password for the user. The system automatically e-mails the new user to notify them that they have been set up as a user of Arken and gives details of their UserLogOn. The e-mail advises the user to contact their administrator for details of the password that has been set up for them. The user can change the password at any time. For security reasons passwords are not e-mailed automatically by Arken.	Confirmed	
5.4.3	Does the software allow for each user to have separate log on (user ids)? If No:-	Yes – each user has a separate log on – see previous response.	Confirmed	
5.4.3.1	How does the software track user activity?			
5.4.4	Is each user required to have a personal password?	Yes – initially set up by the Primary User/Administrator but can then be changed by the user.	Confirmed	
5.4.5	Are passwords one-way encrypted? [i.e. is it impossible for anyone, including the system administrator to see other user's passwords in the software?]	Yes, passwords are one-way encrypted.	Confirmed	
5.4.6	Are passwords masked when entered by any user logging in?	Yes	Confirmed	

Functional requirements questionnaire
Product Arken Release version 5.4

Question	Supplier Response	Evaluator's Comment
5.4.7 Is password complexity available?	Yes	Confirmed
If Yes:- **5.4.7.1** Please specify [e.g. No of digits, requirement for special characters, numeric, upper/lower case etc.]	Passwords must be 8 characters long with at least 1 number and 1 uppercase letter	Confirmed
5.4.8 Is there a facility to enforce password changes after a chosen period of time?	Not within the Arken system. Given the broad range of Arken user profile (i.e. sole practitioners to corporates) this is left to business practice and procedures.	Confirmed
5.4.9 Is there a facility to specify a minimum age for passwords (e.g. 1 day)?	No – see previous response (5.4.8)	Confirmed
5.4.10 How many previous passwords are retained by the system to limit users recycling passwords (e.g. 24 or 32)?	No previous passwords are stored	Confirmed
5.4.11 Please state how security allows for access to be specified separately for :- **5.4.11.1** Read? **5.4.11.2** Read and write? **5.4.11.3** Delete and amend?	The nature of the system does not call for this. Read only access has never been a request since the business started 26 years ago – not relevant.	Confirmed
5.5 Does the software require higher or specific levels of user access for changes to sensitive data and for any data imports/exports?	See response to 5.2 above with details of user roles and access to data. Data cannot be imported from/exported to third party systems. Documents and completed Questionnaires which include data are downloaded from Arken (by Primary Users and Drafters only) in PDF format. The PDFs can be password protected.	Confirmed

Functional requirements questionnaire
Product Arken Release version 5.4

	Question		Supplier Response	Evaluator's Comment
5.6	Please specify the specific security procedures (by passwords or warnings) over the:-		Primary Users and Drafters have access to all client records and documents held within Arken. Users with these profiles are able to edit documents and archive documents. The library text provided by Arken cannot be altered but the text driven into the final document can be edited but this is always flagged up on screen,	Confirmed
	5.6.1	Update of library text?		
	5.6.2	Deletion of text?		
	5.6.3	Archiving of documents?		
5.7	Audit trail			
	5.7.1	Does the software have a detailed audit trail?	Yes – not available to end users – available on request from Arken	Accepted – not really necessary in this type of business and product
	5.7.2	Is it impossible to turn off, amend or delete the audit trail?	Yes	Accepted – as 5.7.1
	5.7.3	Does the software allocate a system generated sequential unique reference number to each [transaction] operation undertaken?	Yes	Accepted all – as 5.7.1
	5.7.3.1	Is this stamped with a user id?	Yes	
	5.7.3.2	Is this unique reference number presented to the user at time of input?	No	
	5.7.3.3	Is this unique reference number available to view, by the end user and by way of a report?	No	
	5.7.3.4	Is the reference date and time stamped?	Yes	

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	Supplier Response	Evaluator's Comment
5.7.4	Are all master file changes recorded in the audit trail? If Yes:-	Yes	Accepted – as 5.7.1
5.7.4.1	Does each change have a system generated reference allocated?	Yes	
5.7.4.2	Are the originator and authoriser identified?	Yes	
5.7.4.3	Is the change date and time stamped?	Yes	
5.7.5	Are all standing data changes recorded in the audit trail? If Yes:-	Yes	Accepted as 5.7.1
5.7.5.1	Does each change have a system-generated reference allocated?	Yes	
5.7.5.2	Are the originator and authoriser identified?	Yes	
5.7.5.3	Is the change date and time stamped?	Yes	
5.7.6	Is all input data included within the audit trail, including amendments, deletions, etc?	Yes	Accepted as 5.7.1
5.7.7	Are all imported /interfaced transactions allocated a software generated sequential reference number?	N/A	N/A
5.7.8	How are these transactions differentiated within the audit trail?	As above, N/A	N/A
5.8	Are software messages clear?	Yes. Messages are very clear, understandable and easy to follow	Confirmed where seen
5.9	Are user responses properly structured to ensure that erroneous key strikes do not lead to inappropriate actions?	Where appropriate, input fields include real time validation: format (e.g. e-mail); validation (e.g. date of birth)	Confirmed

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	Supplier Response	Evaluator's Comment
5.10	Is there a software log which details:-		
	5.10.1 Error messages?	Yes – not available to end users	Accepted
	5.10.2 Security violations?	Yes – not available to end users	Accepted
5.11	What are the procedures for handling dates? (e.g. 2 digit years, 4 digit years).	Where dates are required by the system (e.g. date of birth), 4 digit year is required	Confirmed
	5.11.1 In the case of two digits what is the break point for the century?	N/A	N/A
	5.11.2 Are dates handled consistently throughout the software?	Yes	Confirmed

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	Supplier Response	Evaluator's Comment

6   Data Collection and Processing

	Question	Supplier Response	Evaluator's Comment
6.1	Can data be uploaded from: 6.1.1 HMRC? 6.1.2 Banks? 6.1.3 Building societies? 6.1.4 Other organisations? Please specify all currently available.	No – such data is not required for use in the Arken application. Arken does however utilise a third party postcode engine to populate addresses. The Arken API has defined fields and documentation on this is available for third parties e.g. CRM systems, but in reality the only import is likely to be client demographic data.	Confirmed
6.2	If so, then how is the data collected by the Software House from each of the above?	N/A	N/A
6.3	Does the system require the use of any technologies that may be considered as a security risk? e.g. ActiveX, JavaScript, Cookies.	Some JavaScript is used (mainly for display purposes) and Cookies are used e.g. Google analytics. All data is anonymous.	Accepted
6.4	Can multiple users access the importable files? If Yes:- 6.4.1 Does each have an individual user id and password?	N/A	Confirmed
6.5	What controls are provided to ensure the integrity of data in storage at the Software House and during transmission?	Encryption at rest and in transmission	Confirmed sha256 certificate seen
6.6	What controls are provided to ensure the confidentiality of data in storage at the Software House and during transmission?	Encryption at rest and in transmission – firewalls in place	Confirmed sha256 certificate seen

Functional requirements questionnaire
Product Arken Release version 5.4

Question		Supplier Response	Evaluator's Comment
6.7	Are users automatically logged off after a pre-set time if not using the system?	Yes – 1 hour (hardcoded in)	Accepted
6.8	In what format is the data required to be made able for import?	See 6.1	N/A
6.9	Is the data imported validated by the application software before documents are updated?	Not appropriate to the Arken product/system	N/A
6.10	Is there a facility for alerting users that data is available for import?	Not appropriate to the Arken product/system	N/A
6.11	What controls are in place to ensure the accuracy and completeness of data from imports? 6.11.1 How is a duplication of data prevented / highlighted? 6.11.2 How are missing entries highlighted?	Not appropriate to the Arken product/system	N/A
6.12	How is the user notified that the import of data has been successfully completed?	The API returns confirmation	Accepted
6.13	State the controls in place (system and manual) to ensure the user and the Software House are authorised to collect data on behalf of the client.	In the context of the Arken application and client data, the user is the Data Controller and Arken.legal the Data Processor. It is for the user to satisfy themselves that they have necessary authority from the client. The Arken Terms and Conditions on the website include the responsibilities and obligations of the respective parties, including the collection and use of client data.	Accepted

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	Supplier Response	Evaluator's Comment
6.14	What are the implications of the Data Protection Act over information held by:- 6.14.1 The user?	The user is the Data Controller of their client data	Accepted
	6.14.2 The Software House?	Arken.legal is the Data Processor in respect of client data and the Data Controller in respect of user data. Arken includes a facility for document packs to be password protected and also for authorised users to permanently delete client records and documents to enable users to deal with client requests under GDPR. The Arken Terms & Conditions clearly set out the responsibilities/ obligations of the user and Arken.legal, including security protocols etc.	
6.15	What is the system's availability percentage?	Amazon Web Services service level agreements guarantee uptime of 99.9%	Accepted
6.16	Is the service available 24x7 or are there downtime periods for maintenance?	Yes subject to any required maintenance. Any routine maintenance is carried out during the hours of 2100 and 0700 as set out in the terms and conditions. See also 6.17.4.	Accepted

Functional requirements questionnaire
Product Arken Release version 5.4

Question	Supplier Response	Evaluator's Comment

6.17   Software House
    6.17.1 What security controls are
        in place over:
        - Systems?
        - Server?
        - Applications?
        - Data?
	Two Factor Authentication, highly restricted access, segregation of user and client data, hash id's etc. Limited access to developer servers and even more limited access to production servers.	Accepted

6.17.2 Is there a system log which
        details:-
        - Error messages?
        - Security violations?
        - User access?
        - User activity?
        Is this available to the user?
	Yes there is a system log, restricted to internal staff. This log would be made available to customers on request.	Accepted

6.17.3 What are the implications if
        the Software House ceases
        to exist?
	In using Arken, users are required to download all documents so that they can be physically signed, and it is the responsibility of users to save these in their environment (electronically/paper) as required by their business. In the unlikely event that Arken.legal ceased to exist the user would not have access to Arken to review/amend existing records or create new documents and new client records.
	The position would be no different to the user deciding not to renew their subscription to Arken.
		Accepted

Functional requirements questionnaire
Product Arken Release version 5.4

Question	Supplier Response	Evaluator's Comment
6.17.4 Is the customer made aware of maintenance periods in advance?	Arken.legal uses commercially reasonable endeavours to ensure that the Arken service is available 24/7 except for (a) any planned maintenance carried out during the maintenance window of 21.00 to 0700 (UKT) and (b) any unscheduled maintenance deemed to be necessary outside of this maintenance window, in which case Arken.legal uses commercially reasonable endeavours to give users at least 4 hours' prior notice.	Accepted
6.17.5 Is a system log maintained by the Software House that details user activity, error messages and security violations into their own systems?	Yes	Accepted

Functional requirements questionnaire
Product Arken Release version 5.4

Question	Supplier Response	Evaluator's Comment
6.17.6 Are security procedures regularly independently reviewed? Please indicate the nature and frequency of reviews and the nature of the independent reviewer.	Arken is hosted by AWS who provide access to independent security consultants who review the Arken security and infrastructure on a bi-monthly basis. No data is held or processed at Arken.legal's office premises. The Arken.legal premises are secured by magnetic keypad lock, CCTV, alarm and locks. All workstations are accessed via passwords which are subject to a rigorous security regime including regular mandated password changes and password validation.	Accepted

Functional requirements questionnaire
Product Arken Release version 5.4

Question	Supplier Response	Evaluator's Comment
7	**Input of data and selection of options**	
7.1 Is input controlled by self-explanatory menu options?	Yes, Arken is an intuitive system that guides the user through the process of completing information, selecting options etc. leading to the automatic generation of the resultant documents	Confirmed
7.2 Are these menus context-specific?	Yes. The system also includes help notes throughout	Confirmed
7.3 Does the software provide input validation checks such as date and amount range reasonableness and validity checks?	Yes, where appropriate there is real time validation of inputted data e.g. date of birth.	Confirmed
7.4 What control features are within the software to ensure completeness and accuracy of manual data input?	Arken utilises an intuitive, interactive questionnaire to ensure that all relevant items are addressed by the user. Mandatory questions are included, requiring the user to respond as appropriate. The questionnaire dynamically refreshes as options are selected and displays subsequent relevant questions. Mandatory input fields ensure that the user completes information before the documents are available to download. Where appropriate, the Arken questionnaire also intelligently selects options based on previous responses by the user.	Confirmed

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	Supplier Response	Evaluator's Comment
7.5	Is the user prevented from avoiding these controls?	Yes. The user cannot by-pass the controls within Arken – they are inherent within the questionnaires	Confirmed
7.6	Are input errors highlighted? If Yes are they:-	Yes, where appropriate, given the nature of the Arken system.	Confirmed
	7.6.1 Rejected and reported on screen?	Where an input field requires formatted input the user is only able to input the required data (e.g. letters cannot but inputted into a field requiring numbers). Where the input requires validation (e.g. a date of birth) Arken displays an in-questionnaire message and will not allow the user to produce documents unless the input has been corrected.	
	7.6.2 Rejected and error reports generated?	No – all within the questionnaire and on-screen	

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	**Supplier Response**	**Evaluator's Comment**

8   File maintenance

	Question	Supplier Response	Evaluator's Comment
8.1	How many records can the system handle:- 8.1.1 Users? 8.1.2 Clients per user? 8.1.3 Questionnaires per client? 8.1.4 Years per client? 8.1.5 Parties to an agreement?	 Unlimited Unlimited Unlimited N/A Arken is a system to draft documents on a per client basis. However, where there are connected clients (e.g. spouse/partner) the system allows for the sharing of relevant data. (See also 9.8)	 Accepted Accepted Accepted N/A Confirmed.
8.2	What import facilities are available, e.g. is it possible to import a specific table of data via csv file or similar?	None – this is not appropriate to software of this nature	N/A
8.3	Is it possible to integrate the software to a project or case management package? If Yes: 8.3.1 Please list the ones currently available.	The Arken API enables integration with appropriate third party systems (e.g. CRM/CMS). Such data import is largely in relation to client demographic details (i.e. name, address etc.).	Accepted
8.4	How does the software guard against/warn about, duplicate user/client/document names on set up?	A comprehensive client search is provided in Arken. Users are required to attach a reference to each document – this can be a duplicate or unique reference according to the business requirements.	Accepted
8.5	Are menus:- 8.5.1 Application specific? 8.5.2 User specific?	 Yes Yes (role specific)	 Confirmed

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	Supplier Response	Evaluator's Comment
8.6	Are there any constraints over the deletion of clients and/or their documents?	Arken includes functionality for users to Archive documents and/or clients and also to delete documents and/or clients. In the case of the latter there are controls and checks in ensure that records are not deleted erroneously. This deletion was introduced to assist users in complying with GDPR. They cannot be deleted by accident. The end product – the will – would have had to have been downloaded in any event.	Confirmed
8.7	Detail the drill down/around functionality that is available within the software.	N/A	N/A
8.8	Is the creation or amendment of master and standing data (e.g. look-up codes) controlled by menu options and security procedures?	N/A	N/A
8.9	Can reports be invoked which identify all the fields which have been modified?	It is not possible to modify Arken fields and not possible to create custom fields. The nature of the product is such that this functionality would not be appropriate.	Confirmed
8.10	If the software uses a lot of standing information which changes frequently or regularly, does the software allow for such changes to be effected through the use of parameters or tables?	N/A	N/A

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	Supplier Response	Evaluator's Comment
8.11	What controls are within the software over changes to parameters and tables, e.g. reporting, password protection, etc?	N/A	N/A
8.12	Does the software allow selective archiving of old data on a user-defined basis?	Users with an appropriate role can archive individual documents and/or client records. Likewise, such users can search for archived documents and client records	Confirmed
8.13	What controls are in place over the handling of archived data?	Archived documents/client records are hidden unless the option to display is selected by the user	Confirmed
8.14	Can archived data be used for reporting purposes?	Yes	Confirmed
8.15	Does the software allow for the restoration of archived data without affecting the current data?	Yes – archived clients /documents can be unarchived	Confirmed

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	**Supplier Response**	**Evaluator's Comment**

9   Global and client configuration/setup

	Question	Supplier Response	Evaluator's Comment
9.1	Does the system provide for the setup and maintenance of the details of the 'user organisation' (i.e. the firm using the software) and valid users within that organisation?	Yes. The first user (always a Primary User role) sets up the business profile (i.e. name, address, type of business etc.). Primary Users and Administrators can set up users within the system.	Confirmed
9.2	What are the restrictions on more than one user working on the same client at the same time?	The nature of the business is such that restrictions are not required. Practically, in reality, a business would not have more than one user drafting a specific document for a client, but could have one user drafting a Will, for example and another an LPA for the same client.	Accepted
9.3	Does the system make use of global lists, e.g. Postcodes, assets, lists of banks/building societies/charities? If so, specify what is provided.	Yes - Arken includes a postcode engine and a database of all major charities.	Confirmed
9.4	Does the system provide for the setup and maintenance of client details (client profiles)?	Yes – users can set up/amend client details (demographic data such as name, date of birth, marital status, contact information, spouse/partner details (where appropriate))	Confirmed

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	Supplier Response	Evaluator's Comment
9.5	Can the system record client special needs, e.g. translator, capacity, and provide entry to capture any associated signoffs required?	Yes. Before instigating a document interview questionnaire, the user is required to confirm that the client has the capacity. The questionnaire will only be available if capacity is confirmed. The interview questionnaires include a signing section where the user can specify any special needs, such as a translator, someone signing on behalf of the client etc., and automatically completes the appropriate attestation clause in the document.	Confirmed
9.6	Does the system allow the entry of supplementary information? 9.6.1 If yes can this be uploaded and held against the client?	Yes. Arken provides areas for the user to record notes and select various options. These include an overview of the interview (where it took place, who was present, that the client was not under any undue influence etc.). If the practice is appointed as an executor the user can record reasons why the appointment was made and the discussion with the client. The information is actually document specific. There are selectable options to tick and free type areas for free text. It would be possible to cut and paste text into these areas. There is no facility to upload/attach documents.	Confirmed Confirmed

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	**Supplier Response**	**Evaluator's Comment**
9.7	Does the system automatically populate information from the client profile into associated questionnaires during entry of the answers to questions?	Yes. Client details held in the client profile are automatically included in the relevant documents as appropriate. The document interview questionnaires also reflect such details, for example, where a client has a spouse/partner, the questionnaires include references and options relating to the spouse/partner.	Confirmed
9.8	Does the system allow clients to be linked?	Yes.	Confirmed
	9.8.1 If yes, can the system automatically copy information from an associated client record when required?	Where, in the client profile, the user indicates that the client has a spouse/partner Arken provides for the spouse/partner profile to be automatically created to allow for documents to be drafted for that person.	Confirmed
	9.8.2 Can this be manually overridden?	The user could create completely separate (i.e. unlinked) client records for each individual client if they wished to do so. Given the nature of private client business and the purpose of Arken in supporting the business, unlinked records would be highly unlikely.	Confirmed

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	**Supplier Response**	**Evaluator's Comment**
9.9	Can this linking be extended to assist in the creation of mirror documents where client parties are directly related?	Yes. Once a document has been created for the first client the user can create an interview questionnaire for the spouse/partner and populate it with the information from the first questionnaire. The user can of course make any changes to the information that may be required for the spouse/partner. With Lasting Powers of Attorney, the user can populate relevant information from, for example, a Property & Financial LPA to a Health and Welfare for the one client and also create 'mirror' LPAs for the spouse/partner.	Confirmed
9.10	Does the system allow all questionnaires and documents created for a client to be:		
	9.10.1 Shown as a list on-screen	Arken provides a Client Manager area, where the user can search for existing client. On selecting the required client, that Client Record includes a list of all documents that have been drafted for that client.	Confirmed
	9.10.2 The details viewed on-screen	On selection of a document, the user is taken to the questionnaire and document screen.	Confirmed
	9.10.3 Details to be printed out	Details can be printed out.	Confirmed

Functional requirements questionnaire
Product Arken Release version 5.4

Question	Supplier Response	Evaluator's Comment
10	**Interactive questionnaires**	

	Question	Supplier Response	Evaluator's Comment
10.1	What documents does the system provide within its library of interactive questionnaires [the various legal documents]?	Wills, Lasting Power of Attorney – Property & Financial, Lasting Power of Attorney – Health & Welfare, Expression of Wishes, General Power of Attorney, Severance of Joint Tenancy. In the case of Wills and LPAs Arken also automatically generates a Commentary document	Confirmed

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	Supplier Response	Evaluator's Comment
10.2	Explain the fundamental elements of the questionnaire templates provided by the system. For example, are the following elements covered: - variable questionnaire structure - intelligent workflow - section dependencies - legal text - input areas - associated information - links to statute/legislation	The fundamental principle of the Arken system is to provide intelligent, interactive questionnaires to enable the user to select options and input information from which the system automatically generates the resultant document in real time. The questionnaires are designed to assist the user in ensuring that all elements applicable to the specific client are covered and then only displays to the user subsequent relevant options. The system dynamically refreshes the questionnaires based on options selected by the user: for example, including/excluding sections and/or questions, pre-selecting most likely options to subsequent questions, mandatory question indicator. Arken provides context sensitive help throughout to advise and guide the user. Further, Arken addresses risk and compliance issues by prompting and providing for the user to record additional information relating to the instructions received from/advice given to the client. Users who subscribe to Trust Referencer through Arken have access to detailed information in relation, for example, to the taxation of Testamentary Trusts, including links to	Confirmed

Functional requirements questionnaire
Product Arken Release version 5.4

Question	Supplier Response	Evaluator's Comment
	further resources on the subject.	
10.3 Does the system provide the ability for the user organisation to maintain the questionnaire library and make changes to questionnaire structure, workflow, text, etc or is this function undertaken solely by the supplier?	Given the extent and comprehensiveness of the Arken system, both in terms of content and technical functionality, it is an extremely complex system and it would not be feasible to allow users to make such changes. However, Arken does provide a Customisation area allowing users to set up and maintain some areas of content that are then available for selection in the relevant questionnaire. For example, Preferences and Instructions in Lasting Powers of Attorney, Special Directions to Trustees, and Commentary paragraphs. Users can also set up and maintain a library of custom Will clauses that are then available to the user through the edit function, to edit into a Will document.	Confirmed

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	**Supplier Response**	**Evaluator's Comment**
10.4	Is there the ability to supress parts of the questionnaire structure, workflow, and text? If so can this be done by: 10.4.1 questionnaire type	Yes – this is an automated process inherent in the system. All Arken questionnaires are designed to be intuitive and intelligent, dynamically changing/refreshing as a user selects options and inputs information.	Confirmed
	10.4.2 client type 10.4.3 on a per-client basis	Each questionnaire becomes unique to the client, based on their individual circumstances (e.g. marital status) and wishes, with areas/questions suppressed/ displayed as appropriate.	
	10.4.4 Is there a manual override?	This is a dynamic process driven by prior responses which does not override the integrity but allows manual tailoring	
	10.4.5 Can all this be done by the user or is it a supplier-only function?	Questions are suppressed based on user responses.	

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	**Supplier Response**	**Evaluator's Comment**
10.5	Can custom questionnaire clause libraries be added for specific situations? If so, state what is available.	Yes. Arken provides a Customisation area allowing users to set up and maintain some areas of content that are then available for selection in the relevant questionnaire. Wills: Users can set up and maintain a library of custom Will clauses that are then available to the user through the edit function, to edit into a Will document. Users can build up a list of Special Directions to Trustees which are then available for selection from a Pick List in the Administration section. Lasting Powers of Attorney: Users can build up lists of Preferences and Instructions for each type of LPA which are then available for selection from Pick Lists in the LPAs. Commentaries - Will & LPAs: Users can specify additional paragraphs to be included in all Commentaries generated by the system and also build up lists of additional paragraphs which are then available for selection by the user from Pick Lists in the Commentary sections of the questionnaires.	Confirmed

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	Supplier Response	Evaluator's Comment
10.6	Can the inbuilt questionnaire workflow enable/disable [expose] specific question sets at input-time depending on answers provided to previous questions in a section of a questionnaire?	Yes, the questionnaire incorporates rules-based logic such that the flow dynamically refreshes as questions are answered.	Confirmed
10.7	Can the inbuilt questionnaire workflow enable/disable [expose] parts of the questionnaire structure [question sets] elsewhere in the questionnaire depending on answers provided to specific questions?	Yes, the rules in Arken are such that the dynamic refresh as described in 10.6 above takes account of all previous responses/ selections. This includes including/excluding subsequent questionnaire sections and questions as appropriate.	Confirmed
10.8	Does the system support the use of intelligent pick-lists, i.e. only valid options are shown depending on the answers made in other areas of a questionnaire?	Yes, Arken includes intelligent picklists and, where appropriate. the picklists dynamically refresh to include/exclude relevant options. Where integral to the intelligence of the questionnaire, some pick lists are locked such that the user can only select from the options provided.	Confirmed

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	Supplier Response	Evaluator's Comment

11   Completing a questionnaire

	Question	Supplier Response	Evaluator's Comment
11.1	Does the system allow the user to enter the questionnaire workflow at pre-defined places (e.g. start of any section or to jump to any question), and if so how is workflow integrity ensured?	The system allows the user to complete the questionnaires in any order. If a user goes back to a previous section or question, either to respond or change a response, subsequent questions will change where and if appropriate and items needing completion as a result will be flagged.	Confirmed
11.2	Does the system provide inbuilt guidance [help] to assist the user in completion of the various questions? If so:	Yes, Arken provides guidance and help delivered either in the flow of the questionnaire or a separate help note accessible at the relevant question.	Confirmed
	11.2.1 Can the user edit this guidance text?	Users cannot edit guidance text or help notes.	
11.3	Does the system support entry of different types of answers to workflow questions?	Yes, as and when appropriate:	Confirmed
	11.3.1 Selection or multi-selection?	Yes	
	11.3.2 Yes/no option?	Yes	
	11.3.3 Check boxes?	Yes	
	11.3.4 Radio buttons?	Yes	
	11.3.5 Text or numeric entry?	Yes	
	11.3.6 Date or date range entry?	Date – date range is not required by the system	
	11.3.7 Tabular data?	Yes	
	11.3.8 Free-form notes?	Yes	
	11.3.9 Other, please specify	Pick list selection	

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	Supplier Response	Evaluator's Comment
11.4	Does the system allow the entry of 'side-tables' of data? Is so:	Yes, to the extent of the option to collect asset and liability information.	Confirmed
	11.4.1 Do these calculate?	Yes	
	11.4.2 Can they be printed?	Yes – the asset and liability section of the questionnaire can be downloaded in PDF as a separate document.	
	11.4.3 Can data be imported, e.g. Excel or simple cut/paste?	There is currently no import functionality, but a monetary value could be cut/pasted although it would probably be quicker to input the amount. Note: asset and liability information/data is not a mandatory requirement in the system and does not affect the documents drafted by the system in any way.	
11.5	Can the system enforce the answer to questions (mandatory fields) with appropriate alerts to the user?	Yes, Arken includes mandatory fields to control and ensure that all relevant data is collected. Incomplete documents cannot be downloaded: in the event that the user attempts to do so the system advises how many mandatory questions are outstanding and guides the user to locate the same.	Confirmed
11.6	Does the system provide validation of user input? 11.6.1 If so please detail the validation types provided.	Yes, where appropriate. Date format, email format, dates of birth (i.e. to check that the testator is not a minor or aged over 110).	Confirmed

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	Supplier Response	Evaluator's Comment
11.7	Does the system allow subsequent amendment of individual entries, without the need to walkthrough complete sections of questions?	Yes, the user can change responses/ selections. Changes may impact the subsequent flow of the questionnaire which may require the user to visit/re-visit other sections/ questions.	Confirmed
11.8	Does the system provide 'Save as you go' functionality? If so is this at:	Yes	Confirmed|
	11.8.1 Question level?	The system automatically saves as each question is answered	Confirmed|
	11.8.2 Section level?	N/A	N/A
	11.8.3 Manual option	Yes, there is a manual save button.	Confirmed|
11.9	Does the system provide:		
	11.9.1 A viewable answer history?	The user can download and save/print a PDF version of the completed questionnaires.	Confirmed
	11.9.2 An audit trail of answers and changes to answers?	Yes – available to end users only on request. This is not relevant to the type of product.	Accepted
11.10	Does the system retain data entries (answers), even if the workflow has changed and a specific question is no longer available to be answered because it is no longer exposed?	Yes, on screen – see response at 11.9.2	Confirmed
	11.10.1 Can data entered still affect the workflow elsewhere?	Yes	Confirmed
	11.10.2 If the question is subsequently enabled will the previous answer be displayed?	Yes, until such time as the user closes the questionnaire and saves the questions at that point.	Confirmed

Functional requirements questionnaire
Product Arken Release version 5.4

Question	Supplier Response	Evaluator's Comment
11.11 Does the system support entry of additional 'interview information' such as date, location, attendees?	Yes, the user can record an overview of the interview with the client. This includes selectable options as to location, attendees and Yes/No options to confirm that the client gave full information on personal, financial and family details, together with a free type area for any notes.	Confirmed

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	**Supplier Response**	**Evaluator's Comment**

12 Generation of working documents

12.1	Does the system allow for user-customisable document formatting?	Yes, the system includes selectable and free type customisation options.	All confirmed
	12.1.1 Font?	Yes	
	12.1.2 Paragraph style?	Yes in terms of numbering format (i.e. number/ alpha/roman options) and text alignment.	
	12.1.3 Page format?	Yes as to page numbering, inclusion of reference, client's name on each page.	
	12.1.4 Signing boxes?	Option to specify if client to sign each page.	
	12.1.5 Other, please specify	Style of Will heading; coversheet options such as tramlines, practice details, inclusion of logo, date line format, font style and size, matter reference.	
12.2	Does the system allow graphics and/or client logos to be incorporated in the page formatting?	Yes, the user can upload and include a logo on the coversheet of the Will	Confirmed

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	Supplier Response	Evaluator's Comment
12.3	Does the system create the output document based on a template structure as amended by the answers to the workflow questionnaire?	The system is much more sophisticated than a template. It automatically generates the documents based on the responses in the questionnaire. In the case of documents (e.g. Will) the system does not use templates or macros but 'intelligently' selects and/or constructs and includes clauses to reflect the options selected and data input by the user. In the case of the Lasting Powers of Attorney the system overlays the statutory forms including ticking boxes, crossing out sections and automatically creating continuation sheets as required. Arken also includes a Will Commentary which is drafted at the same time as the Will, is unique to the Will and explains to the client the effect of the Will clause by clause. Arken also generates a Commentary with LPAs .	Confirmed
12.4	Can the user preview the document being created in real-time as they respond to the questionnaire?	Yes, Arken includes a dual screen view option whereby the user can see the document being drafted on screen as they respond to the questions/options.	Confirmed

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	Supplier Response	Evaluator's Comment
12.5	Does the system support dual screen functionality, such that the document being created can be shown on a display separate from the one being used to complete the questionnaire?	The Arken dual screen view only shows on one screen for the user. In other words, if the user has a two screen set up, Arken does not split over the two screens. Arken does however provide a 'toggle' to also enable the user to just view the questionnaire or just view the document	Confirmed
12.6	Does the system allow the amendment of the standard clauses selected by the questionnaire? If so:	Yes, Arken incorporates a controlled but powerful editing functionality.	Confirmed
	12.6.1 Are these marked as amended?	Yes, the on-screen view of the document indicates any changes i.e. clauses that have been amended, removed, inserted, re-numbered.	
	12.6.2 Is it possible to see the differences between the original and the amended versions of the text?	Where a system generated clause has been amended, the Arken Edit Manager enables the user to view on screen the original wording and compare this with the user edited version.	

Functional requirements questionnaire
Product Arken Release version 5.4

Question		**Supplier Response**	**Evaluator's Comment**
12.7	Depending on workflow choices does the system link one client to other clients and generate any supplementary documents if needed? If so:	Where the user selects that the client is married or has a partner, the system allows the user to automatically create the Client Profile for the second person.	Confirmed
	12.7.1 Does the system allow amendment of these supplementary documents?	The user can initiate questionnaires for the second person and, when drafting the same type of document, populate information across the questionnaires. The user is free to make any changes to any responses so as to meet the other person's requirements. Similarly, the system facilitates the cross population (clients and types) of LPAs.	Confirmed

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	Supplier Response	Evaluator's Comment
12.8	Does the system automatically produce associated commentary / explanatory notes depending on the clauses selected during the completion of the questionnaire? If so:	Yes, at the same time as generating Wills and LPAs Arken automatically generates explanatory Commentaries for the client. These are unique to the document and explain the provisions in the document and also provide other information, for example, what Executors and Trustees are required to do in those roles.	Confirmed
	12.8.1 Can these be supressed?	Commentaries cannot be supressed from the downloadable document packs but the user could manually remove them from the pack once downloaded.	Confirmed
	12.8.2 Can these be edited?	Yes, the controlled editing functionality described at 12.6 applies to Commentaries.	Confirmed

Functional requirements questionnaire
Product Arken Release version 5.4

Question	Supplier Response	Evaluator's Comment
12.9 As part of the explanatory notes does the system provide web links to explanatory information? If so:	Yes, where appropriate the Commentaries refer to and provide links to other sources	Confirmed
12.9.1 Can these be supressed?	Not automatically but can be through editing.	Confirmed
12.9.2 Can these be edited?	The system provides functionality for the user to specify and include additional paragraphs in **all** Commentaries produced by the system. Additionally, on a client by client basis, the system enables the user to add additional specific paragraphs in the Commentaries. System generated Commentary wording can be edited by the user through the edit function described at 12.6	Confirmed

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	Supplier Response	Evaluator's Comment
13	**Questionnaire Reporting**		
13.1	Does the system allow the documents resulting from the completion of a questionnaire to be grouped into client packs? If so:	Yes, the system provides a selection of document pack options relevant to the document type.	Confirmed
13.1.1	Are default pack-groupings provided?	Yes. In the case of a Will the options are: Checking *(Will + Commentary both watermarked "Checking"),* Draft *(Will watermarked "Draft" + Commentary),* Engrossment *(Will, Commentary, Coversheet, Signing instructions),* Engrossment + Copy *(As for Engrossment above + additional copy of the Will and Commentary watermarked "Copy")*	Confirmed
13.1.2	Can these be overridden on a per user and/or per-client basis?	No – Packs are as specified by the system and downloaded as such. These are downloaded as individual PDF files but in a zipped folder. Once downloaded the user can delete any of the PDF files from the pack and will only print out the documents as necessary in the circumstances.	Confirmed

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	Supplier Response	Evaluator's Comment
13.2	Can default user (company) text and/or logos be applied to packs? If so, is this to:	Yes	Confirmed
	13.2.1 The complete pack?	A logo can be applied to selected documents within a pack. It is not appropriate to apply it to every document.	Confirmed
	13.2.2 Specific documents within a pack?	Where appropriate (e.g. Will cover sheet), specific documents in a pack can incorporate a logo. This is specified by the user in the Customisation area. This is not relevant to LPA's.	Confirmed
13.3	On a per-pack basis can the user amend the constituent documents':		
	13.3.1 Sort order?	They are all individual PDF files so sort order is not relevant.	Confirmed
	13.3.2 Page orientation?	Not within the software but a third party product could be used if necessary.	Confirmed
	13.3.3 Watermark?	For checking, Copy and Draft are available by default. Other watermarks could be applied using third party software.	Confirmed
	13.3.4 Other, please specify?	None	Confirmed
13.4	Can packs be produced at any time, even if a questionnaire has not yet been completed? If so:	No – document packs are only available for download once all mandatory questions have been completed.	Confirmed
	13.4.1 Are the documents marked as draft in some way (e.g. using a watermark)?	A watermarked draft pack is available but, as above, all mandatory questions must be completed.	Confirmed

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	Supplier Response	Evaluator's Comment
13.5	Can different versions of the same pack be produced, e.g.draft, final, other (specify)? If so: 13.5.1 Are the documents marked as draft in some way (e.g. using a watermark)?	Yes See response to 13.1.1 above	Confirmed Confirmed
13.6	Can the system produce a re-print of an old pack even if changes have subsequently been made to the questionnaire answers which would change the latest version?	Yes – PDF versions are stored in the system.	Confirmed
13.7	Can the packs be produced in different formats? If so are the following supported: 13.7.1 PDF? 13.7.2 MS Word (DOCX) format? 13.7.3 Rich text (RTF)? 13.7.4 MS Excel (XLSX)? 13.7.5 Other, please specify?	Documents and Packs are generated within the Arken environment and downloaded in PDF format. Any changes to the document should be made within the system before download. This is by design so as to retain the integrity of the documents.	Confirmed
13.8	Can production of specific documents be in the exact format required by statutory authorities, e.g. Land Registry? 13.8.1 If so state what formats are supported.	Yes The system completes statutory forms where required i.e. Office of the Public Guardian - Lasting Powers of Attorney and Land Registry Form SEV relating to the severance of a joint tenancy.	Confirmed| Confirmed|
13.9	Can the system support distribution of document packs via email?	The user can download the packs (PDF Files) and e-mail in the usual way as required. On download, the system provides a facility for the Packs to be password protected.	Confirmed|

Functional requirements questionnaire
Product Arken Release version 5.4

Question	Supplier Response	Evaluator's Comment
13.10 Are all documents and reports adequately titled and dated? e.g. report name, user organisation, client name, date, page numbers.	Yes Note: reports are not included within Arken	Confirmed|
13.11 Do the reports provide totals where applicable?	The only report with figures is the assets and liabilities report which does provide totals where applicable.	Confirmed|
13.12 Is it clear when a document or report has ended (e.g. totals or end markers)?	Yes – e.g. Will – the last page is the signing page, and pages are numbered page x of y.	Confirmed|
13.13 Is a report writer provided as part of the software? If so please provide details of: 13.13.1 The level of knowledge required to use it (beginner, user, expert). 13.13.2 The level of customisation provided.	Not currently. Customised reports can be made available on request. A reporting module is on the roadmap for delivery in Q1 – 2019.	Accepted

Functional requirements questionnaire
Product Arken Release version 5.4

Question	Supplier Response	Evaluator's Comment

14   User Documentation

This section applies to any of: online, hardcopy or other (e.g. www) documentation – specify which are applicable.

	Question	Supplier Response	Evaluator's Comment
14.1	Is the manual clearly laid out and understandable?	Yes – online manual	Confirmed|
14.2	Is the manual comprehensive and accurate?	Yes	Confirmed|
14.3	Is there an index to the manual?	Yes	Confirmed|
14.4	Is it easy to locate specific topics in the manual when required?	Yes	Confirmed|
14.5	Is it easy to follow through all procedures in the manual?	Yes	Confirmed|
14.6	Does the manual include: 14.6.1 A tutorial section?	The Arken product incorporates a Tutorial section.	Confirmed|
	14.6.2 A guide to basic functions?	Yes	Confirmed|
	14.6.3 Pictures of screens?	Yes	Confirmed|
	14.6.4 Completed examples included in the manual?	Yes	Confirmed|
	14.6.5 Specific "error correction" procedures?	Yes but Arken itself incorporates real time "error correction" help as the user completes the questionnaires	Confirmed|
14.7	Does the documentation clearly specify the actions to be taken by users at each important stage of processing?	To the extent relevant to the Arken product.	Confirmed|
14.8	Are help screens available relating to the task in hand? (context sensitive help).	All help is on-screen and context sensitive.	Confirmed|

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	Supplier Response	Evaluator's Comment
14.9	Do they provide on-line instructions on how to use particular features of the software?	Yes	Confirmed|
14.10	Can they be edited or prepared by the user?	No	Confirmed|

Functional requirements questionnaire
Product Arken Release version 5.4

Question	Supplier Response	Evaluator's Comment

15   Support and Maintenance

Question	Supplier Response	Evaluator's Comment
15.1 How is the software supplied?		
15.1.1 Direct from Software House?	Yes	Confirmed|
15.1.2 Via Value Added Reseller?	No	Confirmed|
15.2 What is the basis of charging for use of the software; e.g. is it based upon number of users or number of concurrent users?	Subscription + document charge	Confirmed|
15.3 Who provides support for the software?		
15.3.1 Direct by Software House?	Yes – a dedicated support team	Confirmed|
15.3.2 By a VAR?	No	Confirmed|
15.4 In the event of any dispute between Supplier and VAR how can the situation be resolved?	N/A	N/A
15.5 How is the software supported? Please note all methods available:-		
15.5.1 Via the Internet	Yes	Accepted
15.5.2 Telephone?	Yes	
15.5.3 Other – specify.	Email	
15.6 Please explain how support is charged for and whether bug-fixes are included in this?	Support is included in the subscription fee – there is no additional charge. Likewise bug-fixes	Confirmed|

Functional requirements questionnaire
Product Arken Release version 5.4

Question		Supplier Response	Evaluator's Comment
15.7	How often are general software enhancements provided, and are these free of charge to users with support contracts?	As and when required: this may be as a result of legislative changes, or general improvements. The Arken Terms & Conditions include the support provisions. There is no additional charge for enhancements of this type to the core Arken system. Further optional features/ functionality may be available at an additional charge.	Accepted
15.8	Is "hot line" support available to assist with immediate problems? If so:	Yes	Accepted
	15.8.1 Is there an additional cost?	No	Accepted
	15.8.2 At what times is this support available?	Business Hours: 0900-1700 Monday to Friday excepting Bank and Public Holidays	Accepted
15.9	Who provides training:		
	15.9.1 Direct by Software House?	Yes - Training can be provided either at Arken premises in Westerham, Kent, or client's site. The cost will depend on location and whether (if at Arken premises) this is a standard or specially arranged course.	Accepted
	15.9.2 From a VAR?	No – n/a	N/A
15.10	Is a warranty offered in respect of specification of the software?	No – standard Arken Terms & Conditions apply *https://arken.legal/uk/terms-of-use*	Accepted
15.11	Will the software supplier make the program source code available to the user, either directly or by deposit with a third party (Escrow)?	No	Accepted

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	Supplier Response	Evaluator's Comment
15.12	Are there any unduly restrictive conditions in the licence for the software?	No	Accepted

❖

Additional questions for SaaS providers

The ICAEW recommend that potential users undertake relevant financial and suitability due diligence on software and service providers.

16 Security and continuity of processing - SaaS

	Question	Supplier Response	Evaluator's Comment
16.1	Are different levels of security provided to control access to the product/service?	Yes, different roles can be allocated to users – see 5.2	Confirmed
16.2	What forms of user authentication are supported e.g. user names, passwords certificates, tokens etc?	User names and passwords – see 5.1	Confirmed
16.3	What is the proposed product/service availability percentage?	>99.9%	Accepted
16.4	Is the service available 24x7 or are there downtime periods for maintenance?	Yes, generally 24x7. Any routine maintenance takes place between 2100 and 0700	Accepted
16.5	Is a service level agreement offered regarding service availability?	Yes – see 6.15 and the Standard Terms and Conditions *https://arken.legal/uk/terms-of-use*	Accepted
16.6	Is the customer made aware of maintenance periods in advance?	Not in relation to routine maintenance (see 16.4) but outside of these times Arken.legal aims to give at least 4 hours prior notice of any downtime	Accepted

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	Supplier Response	Evaluator's Comment
16.7	Does the product/service require the use of any technologies that may be considered as a security risk? e.g. ActiveX, JavaScript, Cookies. If so:	JavaScript and Cookies are used. See 6.3	Accepted
	16.7.1 Describe how the user can mitigate this risk.	Arken mitigates the risk by using sha256 encryption	Accepted
16.8	Where the product/service relies upon downloading and running an executable program, has that program been secured with a digital certificate to verify the source and integrity of the program?	N/A – Arken is a cloud service. No application needs to be downloaded.	Confirmed
16.9	Is data for different customers/companies kept:- 16.9.1 On separate servers?	Data is not held on separate servers for each customer/company.	Accepted all
	16.9.2 In different databases?	No	
	16.9.3 In separate database tables?	No	
	16.9.4 In a database with data for other customers and companies using identification codes with each record?	Yes.	

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	Supplier Response	Evaluator's Comment
16.10	How is it ensured that data for different customers and companies is reliably identifiable and only accessed by authorised users for each customer/company?	When an account is created for the user the Arken API generates a unique Hash ID. Throughout the system data is loaded from the API using the account Hash ID so ensuring that the user accesses only their data. *Hashing is a method of transforming a string of characters into a usually shorter fixed-length value or key that represents the original string. It can be used as part of functions to assure integrity and authentication.*	Accepted
16.11	Are there any situations where users from one customer/company can work with data from another customer/company?	No – the nature of the security design precludes this from happening	Accepted
16.12	What are the implications of the Data Protection Act over information held by the service provider?	Arken.legal is the Data Controller of User Data and the Data Processor of the User's Client's Data. The User is the Data Controller of their client's Data. Data Protection and Security is covered in the Arken Terms & Conditions. *https://arken.legal/uk/terms-of-use*	Accepted
16.13	Does the service provider confirm to their customers that the service provided is compliant with GDPR principles?	Yes – this is covered in the Data Protection and Security provisions in the Arken Terms & Conditions on the website.	Confirmed

Functional requirements questionnaire
Product Arken Release version 5.4

Question	Supplier Response	Evaluator's Comment
16.14 Does the application software:-		
16.14.1 Require any client software to be installed on the user's computer?	No	Confirmed
16.14.2 Work entirely within Internet Browser software on the user's computer?	Yes	Confirmed
16.15 Are communications between the user's computer and the software service encrypted:-		
16.15.1 User log in data only	Yes sha256 certificated	Accepted
16.15.2 All data exchanged between user client and software service?	As above	Accepted

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	Supplier Response	Evaluator's Comment
16.16	What security steps are taken to prevent and detect intrusion attempts?		
	16.16.1 Is firewall hardware and software used to protect the live systems from unauthorised access?	Yes	Accepted
	16.16.2 Which monitoring software is used to create alerts when intrusion attempts are suspected?	Arken is hosted using AWS which provides this facility	Accepted
	16.16.3 Are designated staff responsible for receiving and urgently responding to these alerts?	Yes. Arken.legal has clear procedures in place	Accepted
	16.16.4 Have clear procedures been established for identifying and responding to security incidents?	Yes. Arken.legal has relevant policies and procedures in place	Accepted
	16.16.5 Is all security sensitive software, such as operating systems and databases, kept up to date with the latest software patches? Please indicate how regularly updates are applied.	Yes, regular monitoring ensures that required updates are applied in a timely manner depending on severity and impact	Accepted
	16.16.6 List procedures and software tools in place to prevent or detect and eliminate interference from malicious code, such as viruses?	Procedures and software tools include: Trend AV software, firewalls, separate subnets, certificates, two-factor authentication, encryption.	Accepted
16.17	Is a system log maintained by the service provider that details:		
	16.17.1 User access	Yes	Accepted
	16.17.2 User activity	Yes	Accepted
	16.17.3 Error messages	Yes	Accepted
	16.17.4 Security violations?	Yes	Accepted
16.18	Is this log available to the customer?	This would only be available if specifically requested.	Accepted

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	Supplier Response	Evaluator's Comment
16.19	Have there been any successful unauthorised access attempts been made during the last year? If Yes:	No	Accepted
	16.19.1 What was the effect on the business and users?	N/A	N/A
	16.19.2 What steps are in place to prevent this happening in future?	N/A	N/A
16.20	Is penetration testing regularly carried out by (please indicate frequency of tests):	The underlying system has undergone and successfully passed at least 6 independent penetration tests commissioned by individual corporate users of customised versions. The Arken product was installed with AWS in July 2018 and ongoing penetration tests are scheduled.	Accepted
	16.20.1 Staff specialising in this field?	No	Accepted
	16.20.2 External specialists?	Yes	Accepted
	16.20.3 Are procedures in place to ensure that any weaknesses found by penetration testing are addressed quickly?	In the event of any weaknesses being discovered there is an internal process to review and assess the best resolution to manage and resolve.	Accepted
	16.20.4 If penetration testing by a specialist is not performed regularly, please indicate the main procedures in place to identify weaknesses?	N/A	N/A
16.21	Are security procedures regularly reviewed? Please indicate frequency of reviews.	Yes – on a monthly basis	Accepted

Functional requirements questionnaire
Product Arken Release version 5.4

Question	Supplier Response	Evaluator's Comment
16.22 Are users automatically logged off after a preset time not using the system?	Yes – 60 minutes	Accepted
16.22.1 Can the time period be changed?	No	Accepted
16.22.2 Can any information be viewed without being logged in, including after logging off, if so what information?	No	Accepted
16.23 Data validation		
16.23.1 To what extent is data input by users validated by scripts or routines in the browser, or other client software, before transmission to the server?	Input boxes validate input according to the configuration.	Confirmed
16.23.2 To what extent is data input by users validated by routines running on the server before data files are updated?	As above.	Confirmed
16.23.3 Does the above validation ensure that data entered in all input boxes: - Cannot be longer than a maximum length? - Cannot contain unaccepted characters such as semi-colons?	Yes	Confirmed
16.23.4 Are any data files, such as budgets or price updates, imported by users validated by routines running on the server before main data files are updated?	N/A	N/A
16.24 Are system messages clear?	Yes	Confirmed
16.25 Are user responses properly structured to ensure that erroneous input does not lead to inappropriate actions?	Yes	Confirmed

Functional requirements questionnaire
Product Arken Release version 5.4

Question	Supplier Response	Evaluator's Comment
16.26 Are all data entries or file insertions and updates controlled to ensure that should part of a data entry fail the whole transaction fails? 16.26.1 Are alerts sent to technical support staff when incidents occur to enable data update problems to be investigated and resolved? 16.26.2 Are messages provided to users clearly explaining whether the data entry or file upload has been processed successfully or not?	The document questionnaires are saved as responses are recorded. Therefore, if the connection goes down, the user can revert to the last saved data (i.e. before the connection was lost).	Accepted

Functional requirements questionnaire
Product Arken Release version 5.4

Question	Supplier Response	Evaluator's Comment
16.27 Explain the procedures in place to ensure the security of customer data held by the service provider, in particular:-		
16.27.1 Procedures to prevent unauthorised access from staff, or contractors, working for the service provider or any other people with access to the service provider's internal systems?	Authorised Arken.legal personnel have secure VPN profiles which they have to connect into in order to access appropriate servers. Once connection to the server is made, passwords are required to access the server. Access to systems is hierarchical with users only being granted access to systems they absolutely need. Only 2 people in the business have full access with all passwords managed via last pass to provide one time only access. All access is logged.	Accepted
16.27.2 Is there sufficient segregation of duties preventing system developers from accessing and changing live applications and data files?	Yes- Developers' logins are all subject to role-based security profiles	Accepted
16.27.3 Are there sufficient review and approval procedures covering system operations staff when emergency changes need to be made to live applications and data?	Yes, there are sufficient processes in place, however Arken.legal does not have access to client data. In emergency situations the same process applies as in non-emergency situations in that only limited/authorised staff have access to production servers	Accepted
16.27.4 Is an audit trail always maintained of these emergency changes?	Yes	Accepted
16.27.5 What procedures are in place when members of staff leave to ensure that their system access is stopped?	Full removal of all access to all systems.	Accepted

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	Supplier Response	Evaluator's Comment
16.28	What are the physical controls over the:-	The standard SLA with AWS provides for extensive physical controls over the fileservers and communication equipment	Accepted
		Arken Office.	
	16.28.1 Premises?	Keypad, locks, alarms, and CCTV.	Accepted
	16.28.2 Fileservers?	As above	Accepted
	16.28.3 Communications equipment?	As above	Accepted
16.29	Is Internet communication traffic monitored to identify potential problems before they happen?	Yes. These functions are undertaken by AWS within pre-set parameters and under SLAs	Accepted
16.30	What procedures are in place to prevent a break in Internet Connection (at the server, client or in between) from causing data corruption?	AWS provides security at the server, 256bit encryption between the server and client. Best practice https is in use.	Accepted
16.31	Is there a clear indication in the software or accompanying documentation of the extent to which the customer or the service provider is responsible for backups and recovery?	Yes – the Arken Terms & Conditions are clear as to responsibilities of the parties *https://arken.legal/uk/terms-of-use*	Confirmed

Functional requirements questionnaire
Product Arken Release version 5.4

Question	Supplier Response	Evaluator's Comment
16.32 Backups by service provider: 16.32.1 Explain the backup procedures applied by the service provider including:		
16.32.2 Are backup procedures automatic?	Back-ups is an automated service provided by AWS.. Arken.legal can take manual back-ups if required, which would be subject to the permissions matrix.Backups are taken hourly.	Accepted
16.32.3 What is backed up and how frequently?	All data is backed up hourly	Accepted
16.32.4 The backup media used for the main backups?	Done by AWS	Accepted
16.32.5 Are backups kept for a sufficient time in case problems, such as data corruption, are not identified until a while later? Please indicate how long backups are kept before they are overwritten.	30 days	Accepted
16.32.6 Where backups are located and whether there are always at least two up to date backups stored at a different location to the service provider's main server location?	AWS Cloud back-ups are stored in different availability zones within the UK	Accepted
16.32.7 How frequently backups are tested?	Weekly	Accepted

Functional requirements questionnaire
Product Arken Release version 5.4

Question	Supplier Response	Evaluator's Comment
16.33 Backups by users:		
16.33.1 Is it possible for users to download a backup of their own data?	Arken.legal manages the hourly system backups that include all the users' data. User backups are limited to downloading data in PDF format as part of the end product.	Confirmed
16.33.2 If so, is the downloaded data in a format which can be viewed with relative ease in other software, e.g. spreadsheets?	Downloads are in PDF format.	Confirmed
16.33.3 Is the user forced or prompted to backup at certain intervals?	N/A	N/A
16.33.4 Can the intervals be customised?	N/A	N/A
16.33.5 If sole responsibility for backups rests with users, explain the system, documentation and training support available to ensure that adequate backups are taken and can be used for recovery.	It is the users responsibility to save electronically the downloaded document packs. Arken.legal has responsibility for backing up the Arken system.	Confirmed
16.33.6 Are there facilities to test recovery with user managed backups?	The user does not manage system backups	Confirmed

Functional requirements questionnaire
Product Arken Release version 5.4

Question	**Supplier Response**	**Evaluator's Comment**
16.34 Are contingency plans in place to enable a quick recovery from:		
16.34.1 Database or application software corruption?	Yes – through AWS automated systems	Accepted
16.34.2 Hardware failure or theft?	Yes – as above	Accepted
16.34.3 Fire, flood and other disasters?	Yes	Accepted
16.34.4 Communication failures?	Yes	Accepted
16.34.5 How often are these plans tested?	Every 6 months.	Accepted
16.34.6 What is the longest period of time envisaged that service may not be available?	No more than 4 hours but in reality will be much less	Accepted
16.34.7 Are contingency plans documented?	Yes, Arken.legal has appropriate policies in place	Accepted
16.34.8 How often are these plans reviewed and updated?	Every 6 months.	Accepted
16.34.9 If transaction records are dated and time stamped are the times used local to the user or based on where the server is located?	Server location	Accepted

Functional requirements questionnaire
Product Arken Release version 5.4

Question	Supplier Response	Evaluator's Comment
16.35 Application change management:-		
16.35.1 Do application changes automatically apply to all customers and users?	Yes	Confirmed
16.35.2 Are users able to test beta versions of the application before new versions go into live use?	Currently all testing is undertaken by Arken.legal. Selected users will be invited to beta test new features prior to release shortly.	Accepted
16.35.3 Are users given notice before application changes are applied to the live system?	Yes in the case of any significant changes	Accepted
16.35.4 Are there sufficient internal testing and approval procedures applied by the service provider before all application changes are put into live use?	Yes Arken.legal applies stringent testing procedures	Accepted
16.35.5 Are users informed when they next login of the application changes that have gone into live use?	Significant changes are notified to users by email	Accepted
16.35.6 Are sufficient application and data backups maintained to enable a roll back to an earlier version if recent application changes cause problems?	Yes	Accepted

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	Supplier Response	Evaluator's Comment
16.36	Reliance on key staff : What steps have been taken to avoid undue reliance on individual members of staff?	Arken.legal operates a knowledge transfer awareness programme to avoid undue reliance on individuals. In addition, a controlled holiday plan to provide continuity of knowledge availability at all times. Documentation is a standard part of the Arken.legal development process which is completed as developers complete modules or tasks.	Accepted
16.37	What protection is in place to enable users to access their data if the service provider should experience serious difficulties, cease trading or decide to stop providing the service?	It is the responsibility of the user to download documents and accordingly reliance on Arken.legal in the circumstance described would not arise. The only loss to the user would be the ability to view/change electronic data and draft new documents. Section 9.3 of the Terms and conditions require Arken.legal to give 3 months' notice if it decides to withdraw the Arken service.	Accepted

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	Supplier Response	Evaluator's Comment
16.38	Do these arrangements include:- 16.38.1 Standby arrangements for another organisation to continue providing the full service?	No	Accepted
	16.38.2 Minimal arrangements to at least enable customers to access their data for a sufficient period of time to extract data copies, produce reports and make alternative arrangements?		
	16.38.3 Up to date copy of system documentation, source code, scripts, database schema and procedures lodged with a third party under an Escrow agreement?		
16.39	If the system is hosted by another party are there arrangements in place for this third party to continue providing a hosting service in the short term to allow time for customers to negotiate their own arrangements? 16.39.1 If so how long does the arrangement allow?	N/A	Accepted
16.40	Is there a user group or committee in existence with sufficient information and understanding to take the lead in setting up arrangements, should the service provider cease trading or decide to stop providing the service?	No	N/A

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	Supplier Response	Evaluator's Comment
16.41	Are there any licence or trading agreements which would become invalid should the service provider go into administration or cease trading? 16.41.1 If so what steps have been taken to protect customers from the impact of this situation arising?	N/A to a product and service of this nature	N/A
16.42	What payment options are available for using the software / service?	Online payment by debit or credit card	N/A
16.43	Where online subscription is used, are the forms used to set-up or renew a subscription clear and straightforward to use?	All payments are handled online and this is very straightforward	Accepted
16.44	Where online payment is used, what type of security is used to protect sensitive information?	All payments are through SagePay which is PC1 compliant.	Accepted
16.45	Where online subscription / payment is used, is an invoice provided to the customer and, if so, in what format?	On collection of payments the Arken system automatically emails a receipted VAT invoice to the user	Accepted
16.46	When subscriptions (if applicable) need to be renewed, what advance notice is provided and what is the time limit for renewal?	Subscriptions are all annual and can be paid annually in advance or by 12 monthly instalments. All payments are handled automatically on repeat payments through SagePay. In accordance with the Arken Terms & Conditions, subscriptions automatically renew on the renewal date each year unless either party gives to the other at least 2 months prior notice of termination	Accepted

Functional requirements questionnaire
Product Arken Release version 5.4

	Question	Supplier Response	Evaluator's Comment
16.47	Is there a procedure for late renewal and is there a time limit after which subscriptions cannot be renewed?	If a payment fails, the user is notified and given an opportunity to make the payment (for example, the payment card may have expired and new details need to be provided). The system will automatically attempt to take the payment again after 5 days and if that fails, the user is no longer able to access the system. Any liability for payments will of course continue in any event.	Accepted
16.48	How soon after creating or renewing a subscription (if applicable) can the system / service be used?	Immediately	Accepted
16.49	What notifications / confirmations are provided to the customer regarding subscriptions and payments?	Arken automatically generates all required emails of confirmation of payments, with invoices, failed payments etc.	Accepted
16.50	To what extent are users able to access their questionnaires, documents and other data if: 16.50.1 They miss one or two payments	See response at 16.47. The system allows the user to bring the payments up to date and the existing subscription reactivated with full access to all data. .	Accepted
	16.50.2 They cease being customers?	If the user does not renew their subscription, provided all fees are paid previously, they have a 5 day window to access the system and download all documents required. (See Terms and Conditions).	Accepted

Functional requirements questionnaire
Product Arken Release version 5.4

Question	Supplier Response	Evaluator's Comment