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# Informed Choice

CLC Webinar

Council for Licensed Conveyancers

20 November 2018

# CMA recommendations



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- Competition and Markets Authority (CMA) published its [Legal Services Market Study](#) on 15 December 2016.
- The key recommendation from the CMA asked the legal services regulators to ‘deliver a step change in standards of transparency to help consumers (i) **understand the price and service** they will receive, **what redress is available** and the **regulatory status of their provider** and (ii) **compare providers**’.

# CLC consultations



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- ‘Helping consumers choose their lawyer: service quality and price transparency’
  - October – December 2017
- ‘Implementation of CMA transparency recommendations’
  - May - June 2018

# New requirements



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Under the CLC Regulatory Arrangements you must display in a **prominent place** on your website:

- ✓ **Cost information;**
- ✓ **Service information;**
- ✓ **Regulatory information; and**
- ✓ **Complaints information.**

**If you don't have a website**, you must provide the information by 'other reasonable means on request' which could include email, post or leaflets available for consumers visiting your office.

**Mandatory requirement**

# Cost information



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## **You must:**

- ✓ **Display cost information on your website, which should be easily accessible and in a prominent place, and by other reasonable means on request.**

**Mandatory requirement**

# Cost information



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‘Cost information’ is defined as:

- a) the total cost of the service or, where not practicable, the average cost or range of costs;
- b) a description of the service offered;
- c) your fee, or where not practicable your average fee or range of fees;
- d) whether your fees are determined as a fixed sum or by reference to hourly rates;
- e) a description and the value of disbursements, including Land Tax. Where the actual cost of a disbursement is not known, a range of the likely cost of that disbursement;
- f) whether VAT is payable on your fees or disbursements and if so in each case the amount of VAT payable;
- g) whether you have referral arrangements with third parties, whether a referral fee is paid and, if so, the fee or average referral fee payable.

**Mandatory requirement**

# Referral arrangements



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- Do you enter into referral arrangements?
- What is the average fee you pay?
- You do not have to display specific details of referral arrangements on your website.

**Mandatory requirement**

# Quote or estimate?



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- Costs may change
- Inform the client as soon as possible
- This isn't new!

**Mandatory requirement**



# Service information



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You must provide the following ‘service information’ on your website and by other reasonable means on request:

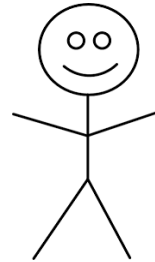
- ✓ a description of the services that you provide;
- ✓ key stages of the services;
- ✓ indicative timescales; and
- ✓ the staff mix, their experience and qualifications.

**Mandatory requirement**

# Meet the team – individual examples



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## **Batman**

Batman qualified as a Licensed Conveyancer 6 years ago and joined Gotham Property Lawyers 4 years ago. Batman specialises in leasehold property and has excellent knowledge of the Gotham property market.

Batman enjoys spending time exploring new parts of the city and is currently training for the Gotham Half marathon.

## The property team

- **Batman** – Licensed Conveyancer for 6 years specialising in leasehold property.
- **Robin** – paralegal supporting Batman for over 3 years.
- **Alfred** – Solicitor 1 year PQE specialising in new build property.

**Examples**

# Meet the team – team example



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Your file will be handled by one of our teams that are led by a Licensed Conveyancer or Solicitor and supported by up to 3 paralegals.

We will give you the names and contact details of all members of your team in your instruction letter.

**Example**

# Additional service information



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- opening hours – do you have late night or weekend opening?
- face to face meetings
- hearing loop
- languages spoken
- on-site or free car parking
- home visits
- out of hours contact
- dedicated fee earner contact
- web portal or online case tracker

**Recommendation**

# Third party feedback platforms



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**Recommendation**

# Regulatory information



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## **You must:**

- ✓ **Show that your practice is regulated by the CLC and include your practice licence number on all communications and your website.**
- ✓ **Display the CLC **secure badge** in a prominent place on your website.**

**Mandatory requirement**

# CLC Secure badge



## Website Verified

www.

Regulation by the CLC provides high standards of consumer protection and choice.

You have clicked on a Smart Badge awarded by the CLC to:

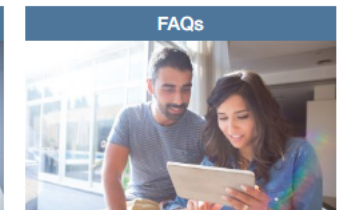
This firm is regulated by the Council for Licensed Conveyancers whose logo can only be used by approved and authorised websites.

The CLC logo is verified and protected by the Yoshki controlled Smart Badge.

[Click here to continue...](#)

Find out more about the process for buying and selling your home using a CLC regulated lawyer on the CLC website <http://www.conveyancer.org.uk/CLC-Consumers.aspx>

## More from the CLC



# Complaints and redress information



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## **You must:**

- ✓ **Provide details about your complaints process and access to the LeO on your website.**
- ✓ **Let consumers know that they may be able to make an application for a grant out of the [CLC Compensation Fund](#).**

**Mandatory requirement**



# What you don't have to do...



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1. You do not have to use a cost estimate generator to be compliant.
2. You do not have to list your entire fee scale.
3. You do not have to disclose specific details of referral arrangements on your website but you must say if you enter into such agreements and the average fee you pay.
4. You do not have to disclose complaints data or HMLR requisitions data.

# What you do have to do...



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1. You must display **cost information** in a prominent place on your website.
2. You must display **service information** on your website.
  - a) You can include the national average timescales from instruction to completion to fulfil the requirement of 'indicative timescales'.
  - b) You can include feedback from third party feedback platforms
3. You must display **regulatory information** on your website
  - a) This includes displaying the secure badge in a prominent place.
4. You must display **complaints and redress information** on your website.

# Remember...



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The new requirements are still applicable to you even if you do not have a website.

- Consider providing the information via email, post or leaflets in your office.

# Support from the CLC



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## CLC Informed Choice Toolkit

- Draft rules
- Guidance
- Cost templates
- Links to webinars
- Previous consultations
- Roadshows
- FAQs

<https://www.clc-uk.org/lawyers/informed-choice/>

If you have any questions or concerns, contact your RSM or email [monitoring@clc-uk.org](mailto:monitoring@clc-uk.org)

# Enforcement



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New rules come into force **6 December 2018**

- What are the sanctions for non-compliance?



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# Questions?

[monitoring@clc-uk.org](mailto:monitoring@clc-uk.org)

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