

A Guide For Solicitors & Conveyancers

The property industry and Government recognise that identity proofing is often a frustrating part of the home buying and selling process for a consumer, who might have to repeat the verification process up to 5 times, providing similar information each time. This can also cause delays in the sales process and unnecessary cost and frustration for all the stakeholders involved.

Checking identity information is a legal requirement to help safeguard transactions and failing to provide ID documents could slow down the process and introduce further costs into the transaction.

This trial project is intended to put the consumer at the heart of the process by providing a single comprehensive identity check, which can then be used by other parties.

The Goal

To enable your client to get their identity verification done once by a certified identity provider and to then be able to share that verification with all other service providers through the sales process.

This trial project is to help develop a solution for the whole home buying and selling sector.

The Trial

To demonstrate that this process will work, we are running trials in the following locations:

Battersea, Chiswick, Clapham, Kew, Putney, Richmond, Wimbledon, Cheltenham, Gloucester, York and Harrogate.

We will run real live transactions and identity checks from October 2021 until July 2022.

To keep updated on all project participants, including other estate agents, conveyancers, mortgage intermediaries, lenders and identity providers please go <u>HERE</u>. These lists will evolve.

To take part in the Trial please email us at s.young@myidentity.org.uk.

This pilot project will be funded by all project participants based on a cost recovery basis.

What do you have to do?

- 1. Most consumers start their journey with an estate agent and as part of this trial may have already been directed to the Scheme and had their identity verified by an identity provider, working to a set of Government standards.
- 2. Your client does not have to do another identity verification (IDV) as they can share their identity details with you. You can check that their identity provider is part of the scheme, so working to agreed standards, and enable you to check the validity of the identity. LINK
- 3. However, if your client has not had their IDV done, direct your client to the www.myidentity.org.uk website and ask them to pick an identity provider (IDSP) from the approved list. You can also direct your client to your preferred IDSP on the approved list. However, the consumer must have a choice as this is about consumer choice and control.
- 4. Your client will get their identity verification completed using their mobile phone within a few minutes, either from within your office or the comfort of their home, 24/7.

- 5. Your client can then share their identity verification with you, their estate agent, financial intermediary and even a mortgage lender.
- 6. Your client will either pay for their own identity verification themselves or you can cover the cost as part of your service. Either way your client owns their identity verification.
- 7. You may still need to carry out additional checks, as your client's mortgage lender might need to do. However, this still reduces the number of checks your client has to do, thus quickening the process and reducing associated costs.
- 8. This part of the trial project is focused on identity verification. For further AML and CDD checks you can use the IDSP your client used, another IDSP from the Scheme or your existing IDSP.
- 9. This identity is valid for a single transaction but may need to be refreshed after 6 months.

What does this mean for me as a Solicitor / Conveyancer?

- You will be able to use the shared identity verification of your client and still receive the supporting evidence, ensuring you meet your obligations. This is to help de-risk the whole transaction as buyer or seller will prove their identity to the same high standard. All identities are proven to the same government backed standard and the identity providers are going through a certification process to prove they meet the Scheme standards.
- You will still have access to all the information you need. Nothing is changing, apart from improving the identity verification services of the identity providers to a set of Government standards. This ensures that all client identity verification is done to an agreed industry standard, instilling greater trust. You are still able to complete your full due diligence with the full set of evidence used to prove the identity.
- Ensures compliance with identity verification requirements working to Government backed standards. Links to GPG45 <u>Identity proofing and verification of an individual</u> and DCMS <u>The UK digital identity and attributes trust framework</u> and the ICO <u>blog post on the implementation of digital identity</u>.
- Onboard your client more quickly in a more secure digital process.
- Help towards quickening the sales and completion process.
- The scheme, Myldentity, is being designed to help you better manage GDPR risks as your client owns and shares their identity verification with you, which is consent driven i.e. they are giving their consent to share their details with you.

What if my client doesn't have a mobile phone or Internet access?

If your client does not have a mobile phone or access to the Internet please refer back to your current non-digital identity verification process. There are identity providers who can help a consumer verify their identity without a mobile phone or who might not have direct access to the Internet.

What if my usual identity provider is not on the Scheme list?

If your IDSP does not take part in the trial then you should proceed with your client as you would normally do. It just means that your client will still have to go through multiple identity verification checks causing greater friction for them with potential delays and additional costs.

We have contacted as many identity service providers as we can and 35 IDSPs have engaged with the project. In some instances, we might have missed an IDSP and they can still come and work as part of the Scheme. We will support them to achieve this. They need to contact us at s.young@myidentity.org.uk. This trial has been designed to enable IDSPs, as well as service providers, to take part later on through the trial.

Does the Scheme help me meet HM Land Registry's Digital Identity Standard?

HM Land Registry's <u>Digital Identity Standard</u> is aligned to the DCMS's trust framework and founded on the principles of GPG45. Myldentity considers that the Scheme will enable conveyancers to comply with the current requirements 1-3 of the Digital Identity Standard. Myldentity recognises that the Digital Identity Standard will evolve and will keep under review the Scheme's compliance with the Standard.

You should remain vigilant throughout the transaction and be prepared to carry out additional checks and enquiries if you have any reason to doubt that one of the parties is not who they claim to be. Conveyancers acting for transferors, borrowers or lessors will also need to carry out additional checks to comply with requirement 4 of the Digital Identity Standard.

HM Land Registry supports the development of a single, robust digital identity check which can be used throughout the home buying and selling process. Whilst it is not mandatory for conveyancers to comply with the Digital Identity Standard, doing so may help protect you as HM Land Registry would not seek recourse against you in the event a fraudulent transaction is registered and your client turns out not to be who they claimed to be.

How do I and my firm get involved?

Please contact the Scheme at <u>s.young@myidentity.org.uk</u> for more information about the pilot and for joining information.

Industry Support

Work on Myldentity started in 2019 with input and consultation from over 100 organisations including Government, regulators and representative bodies.

Outputs to date have led to two white papers:

- 1) A Digital Identity Trust Framework and Home Buying & Selling: March 2020 LINK
- 2) Digital Identity Trust Scheme for the Home Buying & Selling Sector: April 2021 LINK

These white papers form the scope and parameters of Myldentity digital identity trust scheme aligned to the DCMS Digital Identity & Attributes Trust Framework.

Project FAQs LINK

More information can be found at DITS.

Etive will continue to develop Myldentity during the trial period.

Project Support

For further information email us at help@myidentity.org.uk