



CLC Council Meeting
Thursday 11 November 2021
11.00 a.m. – 1.15 p.m.

34 Threadneedle St, London, EC2R 8AY
A G E N D A

No	Item	Type of Paper	Lead
1.	Welcome, Introductions, Apologies for Absence		Chair
2.	Declarations of Interest	For recording	Chair
3.	Minutes and Matters Arising a) Minutes of the meeting of the Council held on 22 July 2022 <i>information which is commercially confidential has been redacted</i> b) Actions arising from previous meetings	Approval	Chair
4.	Chief Executive's Report	Noting	CEO
5.	Business Plan - Progress and Look Ahead to 2022	Review and approval	DSER
6.	Principal Risk Register	Approval	DFO
7.	Watchlist and Interventions	Noting	DFO
8.	Lessons from the LSB's Reviews of Governance at the Bar Standards Board and Faculty Office	Approval	DSER
9.	Response to the 2021 Regulatory Performance Assessment Information Request	Approval	DSER
10.	Professional Indemnity Insurance – Proposed Amendments for Consultation	Approval	DSER
11.	Adjudication Panel rule changes – proposed amendments for Consultation	Approval	CEO
12.	Compensation Fund Arrangements	Approval	DFO
13.	Education and Ongoing Competency	Noting	CEO
14.	Published Indicators and Metrics	Approval	DFO
15.	Committee Reports Audit and Risk Committee	Noting and Approval	Audit and Risk Committee Chair
16.	Any Other Business		

No	Item	Type of Paper	Lead
17.	Date of Next Council Meeting <ul style="list-style-type: none"> Thursday 10 February 2022, 11.00 a.m. 	Noting	ALL

No	Information Items – for discussion on request. Please notify the Head of Executive Office in advance	Type of Paper	Lead
18.	Q3 Performance Outturn	Information	DFO
19.	PR Evaluation Report 1 January - 31 October 2021	Noting	DSER
20.	Property and Law News Round Up	Information	DSER
21.	Council Workplan	Information	CEO

Key: CEO: Chief Executive
DFO: Director of Finance and Operations
DSER: Director of Strategy and External Relations
SMT: Senior Management Team

Declarations of Interest

Council for Licensed Conveyancers
Minutes of the Council meeting held on
Thursday 22 July 2021
By video conference
11.00 a.m. – 13.15 p.m.

Council Present

Dame Janet Paraskeva
Sarah Debney
Sheila Kumar
Teresa Perchard
Colin Wilby

Alan Cogbill
Milton James
Jenny Quirke
Sally Szarka

Also Present

Victoria Goodfellow, Chair
Adjudication Panel (*For Item 3*)

Barney Doyle, Internal Auditors
RSM (*observing*)

In attendance

Ms. A. Cosens
Mr. J. Hinrichsen
Mr. S. Ward

Head of Executive Office
Director of Finance and Operations
Director of Strategy and External Relations

1. Welcome and Introductions

Apologies for absence were received from Andrea Pierce.

Barney Doyle of internal auditors RSM observed the meeting as part of the Internal Audit review of Governance, which is looking at the CLC's compliance against the LSB's Well Led Domain, including how the executive is held to account.

No requests to discuss information items at 16-18 had been received.

2. Declarations of Interest

There were no declarations of interest.

3. Adjudication Panel Chair's Annual Report

Victoria Goodfellow, Chair, Adjudication Panel, presented an Annual Report on the Panel's work over the past 12 months, a written overview of which had been circulated to Council members.

Highlights included:

- Two misconduct hearings
- Compensation Fund review

- A longstanding, complex misconduct hearing is also scheduled for July 2021
- All Adjudication Panel members have been involved with at least one case of each type of work
- In addition to a training day, which has included an update on case law and soft skills and 'drop in' sessions have taken place at three monthly intervals, providing an opportunity for Panel members to share experience and provide feedback on other regulators' practice
- Annual appraisal of Adjudication Panel members
- Scheduled meetings with the Chief Executive to discuss current developments and pipeline cases and which has facilitated scheduling of cases
- Feedback to the CLC's Regulatory Supervision Managers who work with external advocates on the preparation and presentation of cases
- A full review and updating of the Adjudication Panel Rules which is currently in progress and which are expected to be in place early next year.

The Council was informed that the new arrangements for the preparation and presentation of cases have improved the timeliness and ease of Adjudication Panel hearings.

The Chair of the Adjudication Panel advised that it is hoped to recruit a further two legally qualified Lay members, which will facilitate consideration of preliminary investigations, provide cover for the Panel Chair and assist with the demand for Adjudication Panel work in the future.

Responding to a question about messages for the profession in terms of learning from cases, the Chair said that cases often arose where individuals had got out of their depth and had made mistakes, not asking for help at the right time, instead seeking to potentially cover up problems.

The Council thanked the Chair of the Adjudication Panel for her comprehensive report and for the Panel's work over the past year. It also asked that its thanks be passed on to the Regulatory Supervision Managers for the extra work they had undertaken to ensure that cases were brought before the Panel.

The Council **NOTED** the Annual Report of the Chair of the Adjudication Panel.

Action: to convey the Council's thanks to Regulatory Supervision Managers for their work in preparing Adjudication Panel cases.

4. Minutes and Matters Arising

a) Minutes of the meeting held on 29 April 2021

The Council **AGREED** that minutes of the meeting of the Council held on 29 April 2021 be approved as a correct record.

b) Minutes of the meeting held on 28 June 2021

The Council **AGREED** that the minutes of the meeting of the Council held on 28 June 2021 be approved as a correct record.

c) Actions arising from previous meetings

The Council reviewed actions arising from its previous meetings. Actions which had not been completed either featured on the Council agenda for its consideration or on the future work programme.

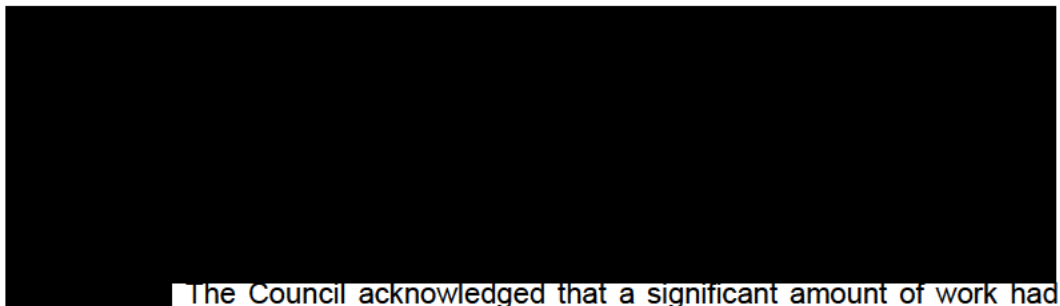
5. Chief Executive's Report

The Chief Executive introduced the report.

In addition to the updates contained within the report, the Council was advised:

- That work is ongoing with firms in advance of next year's Professional Indemnity Insurance round
- A backlog in HMLR data is impacting on the closure of firms impacted by PII
- As the OLC backlog of cases is continuing to increase, along with the levy associated with its service and which based upon its current estimation for 2021/22 represents a 28% increase, the CLC is continuing to engage with the OLC on the disproportionate cost of the service.
- Two meetings of the OLC Advisory Group, on which Teresa Perchard is representing the CLC have taken place since April 2021; no further meetings of the Advisory Group have yet been set, and which will impact upon its momentum. The OLC's senior management and Board members are taking responsibility for improving performance, with a current focus is upon staff engagement. The optimum way of reducing the backlog of cases remains under consideration, however a conclusion on case management has not yet been reached; in particular, there is concern at the management of cases relating to closed firms
- Since preparation of the report, the LSB has advised the CLC that it will be inviting all regulators to agree a common statement on inclusive practice in consideration of disciplinary and misconduct matters. The CLC has welcomed the proposal and has already raised the potential for agreement of a joint statement with the Chair of the Adjudication Panel and will keep the Council informed of developments with other regulators
- The CLC has submitted a joint bid in conjunction with CILexRegulation and the SRA to the Regulators Pioneer Fund for a project to access data held by law firms that could support the development of innovation in conveyancing.
- The SQA has agreed the business case for development of a Level 2 qualification which it is hoped to introduce in September 2021. The SQA has since announced that it will be disbanded. Delivery of educational provision is continuing as normal and any changes by the qualification provider are subject to a 9 month notification period

- Recruitment for review and drafting of an updated Compensation Fund Operating Framework has not yet commenced. The Compensation Fund Review Group is continuing to work with the Chair of the Adjudication Panel on the Adjudication Panel Rules project, which will address the current provision for appeals on Compensation Fund claims which does not align with the remit of the Adjudication Panel nor the Compensation Fund. It is anticipated that the revised Adjudication Panel Rules will be submitted to the Council's next meeting on 11 November 2021 prior to consultation
- The range of Consultations to which the CLC has responded since the beginning of 2021 had been included within the report for members' information
- An update on staff and forthcoming recruitment arrangements was included, provision for which has been included within the Business Plan. Further details will be reported to the next meeting of the Remuneration Committee.



The Council acknowledged that a significant amount of work had been undertaken by the CLC to reduce the impact of the recent hardening of the professional indemnity insurance market and without which the issues presented would have been more extensive.

Officers were asked whether any of the firms who had been identified as non-compliant with the CLC's Anti-Money Laundering requirements had been impacted by the recent Professional Indemnity Insurance round. The Council was advised that no correlation had been identified between securing PII and AML procedures, which appear to represent a low claim risk for insurers.

The Council was informed that further consideration will be given to CPD requirements for regulated practitioners, for example Heads of Legal Practice and Heads of Financial Accounts to address potential concerns and risks arising from conduct issues as well as to provide inclusive support for practitioners.

With regard to education provision, it was confirmed that the SQA will continue to validate courses currently in progress and that no proposals for change (which are subject to a 9 month notification period) had been advised. No direct approaches have been made to alternative providers at this stage, but the CLC continues to be in contact with the SQA's business liaison team and education providers.

The Council **NOTED** the Chief Executive's report.

6. Annual Review of Council Terms of Reference

The Council conducted an annual review of its Terms of Reference.

The Council **AGREED** that no changes to its current Terms of Reference were required.

7. 2021 Business Plan Q2 Progress Update

The Director of Strategy and External Relations introduced a report on progress against the 2021 Business Plan.

The Council was advised that it is proposed to reschedule the following activities:

- The Consumer Charter – to the second half of 2022 and which will allow for the impact of the pandemic
- Revision of the Rule Book – to the end of 2021/early 2022
- Equality Code revisions – to Quarter 3.

The Council was informed that the following new items have been added to the Business Plan:

- Alignment of the Licensing Framework for ABS and Recognised Bodies
- Detailed review of Professional Indemnity Insurance

The Council **NOTED** progress against the Business Plan in Quarter 2 and the above revisions to the Plan.

8. Professional Indemnity – Cyber Cover

The Director of Strategy and External Relations introduced the CLC's proposals for the extent of cyber cover within its minimum terms and conditions for professional indemnity insurance and which had been subject to consultation with insurers, brokers, regulated practitioners and the Professional Reference Group, whose comments were included within the report.

Subject to Council and LSB approval, it is proposed to incorporate the provisions within the CLC's minimum terms and conditions by 1 October 2021. It was noted that a small number of responses had been received to the consultation and that cyber cover would be further considered within the ongoing PII project.

The Council:

- (1) **NOTED** the summary and analysis of responses to the consultation on amendments to the CLC's PII Minimum Terms and Conditions to clarify cyber cover; and
- (2) **AGREED** that the CLC make an application to the LSB for approval of the amended minimum terms and conditions.

Action: to make application to the LSB for approval of the amended terms and conditions for professional indemnity to include cyber cover

9. Principal Risk Register

The Director of Finance and Operations advised Council that the Principal Risk Register had been discussed and reviewed by the Senior Management Team and the Audit and Risk Committee at its meeting on 13 July 2021.

The Council **AGREED** to adopt the Principal Risk Register as proposed.

10. CLC Watchlist and Interventions

The Director of Finance and Operations introduced the report.

The Council was informed that the CLC continues to liaise with HMLR's Advisory Committee and Digitisation Group. The Land Registry is recruiting additional staff to deal with a delay in registrations, which have in part been impacted by the stamp duty and land tax relief deadline.

The Council **NOTED** the Watchlist and Interventions report

11. Practice Fee and Compensation Fund Contributions for the period November 2021 – October 2022

The Director of Finance and Operations introduced the report, which set out the assumptions and key developments that have been used with regard to setting the fee rates.

At its meeting on 29 April 2021 the Council had agreed to investigate an increase in the fee bandings and separate billing of the OLC charge on a 'user pays' model. The proposal had been subject to a consultation and modelled the impact of these changes on declared turnovers and OLC estimates and usage data. Three webinars for the regulated community had also taken place.

The Council was advised that while responses to the consultation had been fairly limited, the SLC and the OLC had both responded. Common themes arising included:

- No objections to the proposed process or amendment of the turnover bands were raised
- A lack of understanding of how the OLC charges the CLC and of the proposed model being used to allocate the 'user pays' element of the charge
- The possible disproportionate effect on larger practices of the 'polluter pays' model which could encourage practices to settle disputes with clients rather than incur fees and possibly not drive improvements to the complaints process.

The Council was advised that implementation of the proposed OLC recharge model and fee rates all practices, with the exception of very small practices would see a reduction in their Practice Fee contributions and practices with no OLC cases would be likely to see a reduction in their total regulatory costs.

The Council was informed that following consideration of options for collection of the OLC charges, (subject to approval of separation of the recharges), the Senior Management Team was recommending the issue of invoices incurred for OLC services following receipt of the final bills from the OLC in April of each year. It was acknowledged that whilst this approach would have the benefit of being simple and easy to reconcile and separate of the Licence renewal proves, the CLC would be required to pay the OLC charge in advance of its recovery from practices in instalments. The change in process would be communicated to practices in writing. The Council was advised that the CLC would endeavour to collect charges from closing practices upon their closure.

The Council was advised that the proposed approach would entail a reduction in regulatory fees of 17.2% (which may be offset by any OLC charges), and which would mean that most practices would see an immediate decrease. Officers undertook to circulate a range regulatory fee illustrations to Council members.

The Council thanked officers for their work on reviewing the CLC's approach to practice fees and OLC costs.

The Council:

- (1) **AGREED** to submit application to the LSB for amendment of the Practice Fee and Compensation Fund Fee rates for the period November 2021 – October 2022 on the following basis:

(a) Practice Fee Bands and Contribution Rates

PRACTICE FUND			
Turnover Banding (No OLC adjustment)	Practice Fee payable		
£0 – £100,000	£750		
£100,001 – £250,000	£750	plus	0.71% of turnover in excess of £100,000
£250,001 – £500,000	£1,815	plus	0.70% of turnover in excess of £250,000
£500,001 – £1,000,000	£3,565	plus	0.64% of turnover in excess of £500,000
£1,000,001 – £2,000,000	£6,765	plus	0.63% of turnover in excess of £1,000,000
£2,000,001 – £4,000,000	£13,065	plus	0.62% of turnover in excess of £2,000,000
£4,000,001 – £8,000,000	£25,465	plus	0.56% of turnover in excess of £4,000,000
£8,000,001 – £16,000,000	£47,865	plus	0.55% of turnover in excess of £8,000,000
£16,000,001 and over	£91,865	plus	0.54% of turnover in excess of £16,000,000

(b) Compensation Fund Bands and Contribution Rates

COMPENSATION FUND		
Turnover banding (2020-21)	Compensation Contribution payable	
£0 – £100,000	£ 500	
£100,001 – £500,000	£ 500	plus 0.40% of turnover in excess of £100,000
£500,001 – £3,000,000	£ 2,100	plus 0.30% of turnover in excess of £500,000
£3,000,001 and over	£ 9,600	plus 0.20% of turnover in excess of £300,000

(c) Separation of the OLC charges from the practice fee, with invoicing of practices to take place on the basis of Option 1 (*following receipt of the final invoice from the OLC in April of each year, the full action cost of which will be allocated to individual practices*)

(d) Reduction of the practice fee rates by an average of 17.21% based on the previous year.

(2) **NOTED** that other licence and administration fees will remain unchanged.

Action: to circulate a range regulatory fee illustrations to Council members.

12. Published Indicators and Metrics

The Council considered the indicators and metrics for Quarter 1 of the current year for publication.

The Council **AGREED** to publish the indicators and metrics detailed at Appendix A of the report.

13. Committee Chairs' Reports

(a) *Audit and Risk Committee*

The Chair of the Audit and Risk Committee presented a summary of business considered by the Committee at its meeting on 13 July 2021, which had included:

- Review of the Governance Statement and Quarterly Statements on Internal Control
- Review of the Principal Risk Register, the adoption of which had been recommended to Council
- Finance Director's Update
- Annual Review of Anti-Corruption Policies and Business Continuity Plan
- Internal Audit Review of Budget Setting and Budgetary Control, which had found a substantial level of assurance.

The Council **NOTED** the report of the Chair of the Audit and Risk Committee.

(b) Appointments Committee Chair's Report

The Chair of the Appointments Committee provided a summary of business considered at its meeting on 14 June 2021.

The Committee was recommending offers of a further, four year appointment to professional members Sarah Debney and Sally Szarka. The Chair advised that both members had confirmed that they would be willing to serve for a further term.

The Chair advised that with the agreement of the Chair of the Remuneration Committee and Milton James, the Committee was recommending the appointment of lay member Milton James to the existing vacancy on the Remuneration Committee.

It was noted that it would be necessary to recruit to the Council in advance of Spring 2022, when the terms of office of lay member Teresa Perchard and professional member Andrea Pierce will end and may not be further extended under the Regulations for the Appointment and Service of Council members.

The Chair advised that following a request from the Chair of the Adjudication Panel, the Committee had agreed to recruit further lay members to the Panel to assist with timely empanelment of disciplinary hearings.

Following completion appraisal discussions with all members, the Council was advised of the following themes arising:

- Council Workshops are considered to be an effective way of exploring strategic ideas and forming decisions; opportunities to work together collaboratively, such as the Compensation Fund Review have been useful, particularly in the context of developing a rapport as virtual meetings remain necessary
- Members joining the Council recently have appreciated the induction process, particularly in view of the pandemic
- The organisation of briefing meetings and good communications enable preparation for meetings; reports are clear, and the executive is open to challenge and response
- The weekly newsletter which is sent to Council members is appreciated
- There was a mixed response to the values conversation, with some members considering that there was not necessarily a need to agree and publish values or make them more explicit, whereas others observed that a statement of values would help employees and Council members and enable it to lead the regulated community by example.
- It was identified that more regular reports on progress with education following on from the discussion at the Council Workshop in November would enable members to maintain engaged with developments and provide momentum for this agenda. Alternatively, it was suggested that the Council may wish to consider appointing a link member in this area
- It had been suggested that consideration be given to a change in the scope of internal audit to reflect the day to day life of the organisation,

and it was agreed to refer this to the Audit and Risk Committee for consideration

- While some members raised the length and detail of the Council Members' appraisal form, it was noted that the Audit and Risk Committee's self effectiveness questionnaire is more detailed and the Committee was advised that the Audit and Risk Committee will be working to review its questionnaire prior to the next assessment
- Some members commented in their appraisal discussion that the Audit and Risk Committee had found its effectiveness review to be useful.
- Committee membership offers the opportunity to learn from more experienced Committee members and development of confidence.
- There was a mixed response to the values conversation, with some members considering that there was not necessarily a need to agree and publish values or make them more explicit, whereas others observed that a statement of values would help employees and Council members and enable it to lead the regulated community by example.
- There has been a significant improvement in internal audit report findings year on year, particularly in the areas of regulatory inspections and human resources.

The Council:

- (1) **AGREED** to offer a further, four year term of office to Sarah Debney (*up to 30 April 2026*);
- (2) **AGREED** To offer a further, four year term of office to Sally Szarka (*up to 31 July 2026*);
- (3) **AGREED** To appoint Milton James to the existing vacancy on the Remuneration Committee;
- (4) **AGREED** to recruit a further two lay members to the Adjudication Panel
- (5) **NOTED** that the Appointments Committee would consider forthcoming succession planning and recruitment arrangements for Council membership
- (6) **NOTED** the report of the Chair of the Appointments Committee.

Action: to offer further, four year terms of appointment to Sarah Debney and Sally Szarka

Action: to appoint Milton James to the Remuneration Committee

Action: to commence recruitment of further lay members to the Adjudication Panel

Action: Appointments Committee to consider forthcoming succession planning and recruitment arrangements for Council membership

(c) Remuneration Committee Chair's Report

The Chair of the Remuneration Committee presented a summary of business considered by the Committee at its meeting on 11 May 2021, which included the following:

- Staffing update
- Participation in a survey of pay and benefits
- Detailed review and updating of the Staff Handbook, including enhancement of sick pay, maternity and paternity pay
- A planned post-covid review of the Staff Handbook later in the year.

The Council **NOTED** the report of the Chair of the Remuneration Committee.

14. Any Other Business

There were no items of other business.

15. Date of Next Council Meeting

Council, Thursday 11 November, 2021.

INFORMATION ITEMS**16. Q1 Performance Outturn**

The Council **NOTED** the Performance Outturn report for Q2, which had been reviewed and discussed in detail by the Audit and Risk Committee at its meeting on 13 July 2021.

17. Property and Law News Round Up

The Council **NOTED** the round up review of major developments and the economic outlook that will affect the conveyancing market.

18. Council Workplan

The Council was advised that a schedule of meetings for 2022 had been circulated to members and that it is proposed to alter the pattern of Council Workshops by holding a meeting in December as opposed to June and which will facilitate discussion and review of strategic items.

The Council **NOTED** its forthcoming Workplan.

Chief Executive's Report

Purpose: For noting
Author: Chief Executive

Summary

The Chief Executive's regular report to Council on current issues.

Recommendations

The Council is asked to note the contents of this paper.

Risk management

Where appropriate, risk is covered in each item contained in this report.

Financial impact

No negative financial impact on 2021 budget expenditure.

Regulatory Objectives

This report includes matters that go to the support and promotion of the regulatory objectives in particular the ones highlighted

- protect and promote the public interest;
- support the constitutional principle of the rule of law;
- improve access to justice;
- protect and promote the interests of consumers;
- promote competition in the provision of legal services;
- encourage an independent, strong, diverse and effective legal profession;
- increase public understanding of the citizen's legal rights and duties;
- promote and maintain adherence to the professional principles.

Where appropriate, the CLC's regulatory objectives are covered within the report items.

Diversity and inclusion impact

No diversity or inclusion impacts resulting from the contents of this paper.

Communications requirements

This report is an update for Council members only.

Publication status

Not for publication. The report contains information which is: policy in development; intended for future publication; commercially sensitive.

2021 Business Plan Q3 Progress Update and look ahead to 2022

Purpose: For review

Author: Director of Strategy and External Relations

Approver: Chief Executive

Summary

This paper reports on progress against the 2021 business plan. The plan is now amended by Council on a rolling, quarterly basis.

It also sets out the key items for 2022 delivery which will be reflected in the final version of the business plan 2022.

Recommendations

Council is asked to note progress against the business plan at the end of Q3, approve the amendments set out in the plan and note and agree the key items for 2022.

Risk management

The business plan contributes to the management of principal and operational risks.

Financial impact

This is covered in the financial outturn reporting.

Diversity and inclusion impact

The business plan includes measures to promote diversity and inclusion across the regulated community.

Regulatory objectives

The business plan is designed to ensure that CLC carries out its regulatory objectives set out in Legal Services Act 2007

Communications requirements

The outturn of the business plan is reported after the end of the year in Annual Reports.

Principal Risk Register

Purpose: Approval

Author: Director of Finance and Operations

Approver: Chief Executive

Summary

This report details the principal risks of the CLC together with controls currently in place and further mitigating actions being taken to manage the risks.

Recommendations

The SMT recommends that Council approves the Principal Risk Register as recommended by the Audit and Risk Committee.

Risk management

The report is a key reporting document in CLC's risk management.

Regulatory Objectives

The following regulatory objectives are served by the decisions requested in the paper:

1. protect and promote the public interest
2. protect and promote the interests of consumers
3. promote and maintain adherence to the professional principles

Financial impact

There is no financial impact in relation to this paper.

Diversity and inclusion impact

There is no impact on diversity or inclusion from this paper.

Communications requirements

This paper is for Council only.

Background

This is a regular report to Council updating on management's assessment of the principal risks.

Publication

This report is not for publication as it contains information which is commercially confidential .

CLC Watchlist & Interventions

Purpose: Noting

Author: Director of Finance and Operations

Approver: Chief Executive

Summary

This is a regular Council paper which provides an update on the practices that have been assigned to the watchlist.

The CLC's aim is to ensure that it raises regulatory issues with a practice as early as possible to avoid the risk of a practice failing to meet its regulatory responsibilities. Where it concludes that issues with a practice are or may become significant, that practice is placed on the watchlist and is monitored intensively to mitigate risk to the consumer; risk of claims on that practice's professional indemnity insurance; and ultimately on the CLC's Compensation Fund. SMT review the watchlist on a weekly basis and by exception when necessary.

A progress update on the active interventions that have taken place since the beginning of 2017 is also included.

Recommendations

Council is asked to review and note the paper.

Risk management

Active management and monitoring of practices placed on the watchlist enable the CLC to mitigate the risk of losses to consumers, claims against PII insurance policies and ultimately the Compensation Fund.

Regulatory Objectives

The following regulatory objectives are served by the decisions requested in the paper:

1. protect and promote the public interest
2. protect and promote the interests of consumers
3. promote and maintain adherence to the professional principles

Financial impact

Failure of any practice may have a significant adverse impact on the consumer, the CLC and the profession.

Diversity and inclusion impact

There is no impact on diversity or inclusion.

Communications requirements

There are no communication requirements.

Publication

This report is not for publication as it contains information which relates to regulatory enforcement action and which is commercially confidential

Lessons from the LSB's reviews of governance at the Bar Standards Board (BSB) and Faculty Office (FO)

Purpose: For decision
Author: Director of Strategy and External Relations
Approver: Chief Executive

Summary

The Legal Services Board undertook reviews of governance at the Bar Standards Board and Faculty Office. This paper looks at lessons from those reviews and makes recommendations for the CLC.

Recommendations

Council is asked to agree the 13 recommendations set out in the paper.

Risk management

The recommendations in this paper will help to demonstrate that the CLC is well-led regulator.

Regulatory Objectives

The recommendations set out in this paper support the following regulatory objectives:

RO1 - protect and promote the public interest – Through demonstrating the wider basis for decision-making in those interests.

RO4 - protect and promote the interests of consumers -Through demonstrating consideration of the consumer interest.

Financial impact

The recommendations in the paper do not commit the CLC to any additional expenditure, but the resource impact will need to be managed through the business planning process for 2022 and 2023.

Diversity and inclusion impact

Recommendations in this paper will help the CLC demonstrate that it is taking proper account of potential D&I impacts that could arise from policy development and implementation, monitoring and enforcement.

Communications requirements

The recommendations in the report generally give rise to their own communications requirements. The paper itself does not give rise to immediate communications needs.

Lessons from the LSB's reviews of governance at the Bar Standards Board (BSB) and Faculty Office (FO)

Introduction

The Legal Services Board (LSB) undertook reviews of governance at the Bar Standards Board and Faculty Office. Following their conclusion, the Chief Executive of the LSB wrote to all front-line regulators urging them to consider the lessons arising from those reports. The full reports are available on the LSB's website here:

[Bar Standards Board](#)

[Faculty Office](#)

The CLC has been judged by the LSB in its most recent report on our regulatory performance to meet their requirements in all areas, including the 'well-led' domain that looks at a governance. The lessons arising from the reports that are relevant to the CLC largely relate to the transparency and the recommendations are intended to move us towards best practice in those areas which will be of increasing interest to the oversight regulator.

The table that follows sets out the key findings of the reviews and the considerations for other regulators. It then sets out the current situation at the CLC and makes recommendations for development where appropriate.

Recommendations

The Council is asked to agree recommendations one to thirteen set out in the table below.

Review of lessons from the reports and recommendations for the CLC

	Key review findings	Considerations for other regulators	CLC Status	Recommendation
A	<p>Little evidence of meaningful consideration of relevant regulatory objectives when decisions were taken. As a result, we are concerned that the BSB allowed the interests of the public and consumers to be outweighed unduly by those of the profession when taking key decisions.</p> <p>The BSB places a disproportionate weight on the impact of its work on the profession and pays insufficient regard to the impact on the public, including consumers.</p> <p>The FO has well-established processes for gathering information about notaries, but it should engage more with consumers of notarial services to develop and demonstrate a sufficient understanding of the issues facing both notarial consumers and the profession.</p>	<p>In decision-making, how to evidence:</p> <ul style="list-style-type: none"> • Consideration of regulatory objectives • Consideration of stakeholder (public, consumer, industry bodies, regulated community) views/needs 	<p>The CLC staff and Board members are well aware of the Regulatory Objectives and they guide the work of the organisation. They are a core consideration in our review and development of strategy and also one vector of assessment for our Principal Risk Register. They are used as a guide in policy development as well as day to day work as the CLC faces novel situations that require a response.</p> <p>The recent Addendum to the CLC's PCF application to the LSB included a capture of the CLC's view of how its proposals assist towards meeting the objectives.</p> <p>The CLC's policy development responds to the evolving legal services market, taking account of changing tools, processes, consumer need and expectation and evolving risks to consumers, lawyers and stakeholders such as lenders. Insight is generated not only through formal consultation exercises, but through close and</p>	<ol style="list-style-type: none"> 1. Policy proposals should in future include a statement of how they help the CLC to meet the Regulatory Objectives. This can also be added to the front summary sheet 2. The CLC's Principal Risk Register should capture, in respect of each risk, which Regulatory Objectives are relevant to the risk 3. SMT to consider whether a more summary approach to recording the consideration of stakeholder views and needs would more easily demonstrate the CLC's assessments. This could take the form of a table to be included in policy development papers and consultation documents that would highlight the key points included in the paper. 4. For its next consultation, CLC should trial a

	Key review findings	Considerations for other regulators	CLC Status	Recommendation
	<p>We expect the FO to develop a strategy and means for engaging directly with consumers and using their views in making policy decisions.</p> <p>We expect the FO to develop a policy or other process to ensure it consistently undertakes consultations in an effective and transparent manner.</p>		<p>sustained engagement with representative bodies and other regulators for the sector, key stakeholders such as HM Land Registry, HMRC, lenders, UK Finance, tech suppliers to the sector and innovators in the delivery of legal services. The CLC also has an unusually detailed insight into the situation of its regulated community through its Regulatory Supervision Managers and close monitoring approach.</p> <p>Commentary on this insight is generally set out in the body of papers prepared for internal consideration, for decision by the Council and for public consultation.</p> <p>Engagement with CLC consultations has generally been at a low level in terms of numbers of submitted responses but those responses tend to be careful and detailed, addressing the full range of substantive issues. The most recent consultation, on the PCF application and recovery of OLC costs also saw low numbers of responses despite</p>	<p>simplified consultation questionnaire, based on the full consultation document, to seek wider feedback on key elements of the consultation. This might engage more stakeholders and provide an additional steer to Council's decision-making as well as possibly encouraging more engagement with the full consultation document.</p> <p>5. Each policy paper to Council will include a consideration of the consumer/public interest and set out how that has been informed.</p>

	Key review findings	Considerations for other regulators	CLC Status	Recommendation
			<p>extensive coverage in the legal and conveyancing press and the usual direct communications with the regulated community and stakeholders, especially the Conveyancing Association and Society of Licensed Conveyancers that are the independent representative bodies for the CLC's regulated community.</p> <p>In order to mitigate the usually low levels of engagement with formal consultations, the CLC established in 2019 an informal Professional Reference Group. This is a small group of licence holders who are invited to comment on policy questions early in the policy development process. This further bolsters our ongoing close engagement with the regulated community. The CLC's openness means that Licensed Conveyancers are comfortable about contacting the CLC when they have comments or concerns on any aspect of our work.</p>	
B.	The decision-making process for major decisions did not	How to set out and evidence adherence to a	The CLC has in place clear processes for internal decision-making	6. Recommendations 1 and 2 above could enhance the

	Key review findings	Considerations for other regulators	CLC Status	Recommendation
	<p>follow the BSB's own procedures.</p> <p>We found that the FO does not have a complete and comprehensive set of governance arrangements in place to ensure effective regulation.</p> <p>There is insufficient transparency around processes for decision making and of decisions that are taken [at the FO]. As a result, it is not possible for the LSB, or anyone else, to have assurance that decisions are taken with due regard to the regulatory objectives, based on sound evidence and taking account of risks.</p>	decision-making process	<p>in relation to enforcement of compliance and disciplinary processes, which include our risk assessment of entities, the process for escalation of issues to the SMT and the Watchlist for entities and individuals of particular concern. The Watchlist is a practical tool for SMT and provides clear and comprehensive reporting to the Council at each of its formal quarterly meetings of serious compliance issues and the progress of disciplinary issues.</p> <p>The CLC's Corporate Governance Framework includes clearly defined Terms of Reference sets outs clearly the responsibilities of the Chair and Council and the Chief Executive and staff team. There is a scheme of delegations in place that was reviewed by the Audit and Risk Committee and Council in 2021.</p> <p>The Council reviews its own and the Chair's performance annually. The Chair's appraisal is conducted independently and includes feedback from</p>	evidence of adherence to the decision-making process.

	Key review findings	Considerations for other regulators	CLC Status	Recommendation
			<p>stakeholders as well as colleagues.</p> <p>Each member of council also has an annual appraisal by the Chair and their reflections on the operation of the CLC and its governance are fed back to the executive team to improve processes.</p> <p>The CLC's committees also complete their own annual performance reviews.</p> <p>The work of the CLC is subject to an annual programme of independent internal audits. The focus of the programme is governance, risk management and the delivery of the CLC's core work. The 2021 internal audit included a review of the governance of the CLC against the LSB's 'well-led' domain and the 2022 programme will include an audit of our use of KPIs.</p> <p>Decision-making processes for Council are evidenced through the Council papers published in agenda packs or through the publication on the CLC's website of the decisions made or as consultation documents,</p>	

	Key review findings	Considerations for other regulators	CLC Status	Recommendation
			summaries of responses to consultations and the CLC's final decisions in the form of applications to the Legal Services Board. Decisions are communicated to the regulated community and stakeholders through newsletters and PR and where appropriate through online or face to face events.	
C.	In future, the FO should proactively undertake horizon scanning and research about notarial market issues.	Consider horizon-scanning	The CLC undertakes ongoing horizon scanning through close engagement with the regulated community, key stakeholders such as HM Land Registry, HMRC, PI insurers, lenders, suppliers to the sector and tech innovators. A now annual round table brings many of those together to update on the Conveyancing 2030 discussion paper and develop a clearer understanding of the direction of development in the delivery of legal services. We also constantly monitor developments in the UK economy that will impact the practice of conveyancing and probate as well as trends in the housing sector.	7. No further action at this time.

	Key review findings	Considerations for other regulators	CLC Status	Recommendation
			<p>Throughout 2020 the CLC surveyed the regulated very frequently to understand the impact of the pandemic on the delivery of legal services and the sustainability of individual practices.</p> <p>The intelligence and insight gathered is reported in the form of weekly updates to Council, which are shared with staff, on key developments in the economy and housing market (including trends, the development of new technology etc) that could affect the regulated community, the delivery of conveyancing and probate services, consumer behaviour and the risks around the regulated legal services. Summaries are also provided to the Council quarterly in the Property and Law information paper that is provided for each meeting of the Council.</p> <p>In 2021, the CLC launched what is intended to be an annual Risk Agenda that sets out for the regulated community what the CLC regards as</p>	

	Key review findings	Considerations for other regulators	CLC Status	Recommendation
			the key risks they should be addressing.	
D	On several occasions the [BSB] Executive did not provide the Board with sufficient information to support key regulatory decisions which were made	How to evidence the information and insight that informs decision-making	<p>The published agenda packs for Council Meetings demonstrate that all decisions made by the Council are supported by full background papers with recommendations from the executive team. The background information is published in line with the CLC's Publication Scheme which was last reviewed in October 2019 .</p> <p>In its annual review of its own performance, the Council considers whether it is properly informed to fulfil its responsibilities.</p>	8. A review of the Publication Scheme with recommendations to be submitted to Council for consideration at its meeting in February.
E.	The governance architecture is fragmented and difficult to access, with some gaps and out-of-date components.	How to ensure fit-for-purpose governance	The CLC's Corporate Governance Framework was reviewed in 2020. The LSB has assessed the CLC as meeting the expectations of the 'well-led' domain	<p>9. That the framework is revised in the light of any significant new best practice</p> <p>10. To consider whether the Framework be reviewed systematically every 5 years</p>
F.	The Board did not take responsibility for the organisation's performance within the statutory framework of	How to evidence board oversight and control of organisational resourcing and performance	The Council of the CLC develops and reviews the strategy of the organisation and approves annual business plans and	11. The narrative Annual Report for 2021, to be published in 2022, will include an assessment of how

	Key review findings	Considerations for other regulators	CLC Status	Recommendation
	<p>regulatory objectives and performance obligations within which it operates.</p> <p>We did not receive sufficient assurance that the FO understands the resources it needs to perform its regulatory duties and that it manages its finances accordingly.</p>		<p>budgets. The Council reviews progress against the agreed business plan each quarter and considers proposed amendments. This cycle feeds into the annual business plan and budget approval process.</p> <p>The Audit and Risk Committee oversees and reports to Council on a rigorous annual programme of internal audits carried out by an independent auditor.</p> <p>The CLC's Annual Financial Statements are signed off by the Audit and Risk Committee and by the Council. Although not legally required to, the CLC has chosen to meet the high standards of IFRS 102 for its independently audited accounts.</p> <p>The Chair of the Council signs off on the narrative Annual Report.</p>	<p>the year's activities have contributed to achieving the regulatory objectives.</p> <p>12. The Business Plan for 2022 will capture how the planned activities contribute to achieving the regulatory objectives. This will support reporting against the regulatory objectives in the report on 2022 that will be published in 2023.</p>
G	<p>The BSB stakeholder engagement strategy has not been effective in building partnerships with its target organisations relevant to its PLE activities and the transparency standards project.</p>	<p>How to secure effective partnerships where needed for the delivery of organisational objectives</p>	<p>The CLC fosters constructive working relationships with the other regulators and key sector organisations such as LawTech, the representative bodies, and groups developing legal tech. For example, we have worked closely with HM Land Registry,</p>	<p>13. No further action at this time.</p>

	Key review findings	Considerations for other regulators	CLC Status	Recommendation
			DLUHC and as a member of the Home Buying and Selling Group to be a driving force for improvement in conveyancing where we are seeing movement after many years of work.	

Response to the Regulatory Performance Assessment 2021 Information Request

Purpose: For decision
Author: Director of Strategy and External Relations
Approver: Chief Executive

Summary

This paper sets out draft responses to the annual information request for this year's Regulatory Performance Assessment of the CLC by the LSB.

Recommendations

Council is asked to agree the draft responses.

Risk management

Responding to the information request comprehensively reduces the risk that the LSB will require further reporting or additional action.

Regulatory Objectives

This is an exercise of accountability rather than direct action to address the regulatory objectives.

Financial impact

None arising from the paper.

Diversity and inclusion impact

None arising from the paper.

Communications requirements

None arising from the paper.

Publication Requirements

This report is not for publication as it contains policy recommendations which are intended for future publication

PII Consultation Approach

Purpose: For decision

Author: Director of Strategy and External Relations

Approver: Chief Executive

Summary

This paper sets out a proposed approach to consulting on reform of the CLC's PII framework.

Recommendations

Council is asked to agree the approach to the consultation set out in this paper in the light of any amendments as may be necessary arising from the update which will be presented to Council on 11 November on the ongoing discussions with brokers and insurers.

Risk management

The proposal for a consultation seeks to mitigate the risk that the PII market hardens further, making PII harder to obtain.

Regulatory Objectives

The proposals in this paper support the following regulatory objectives.

RO4 - protect and promote the interests of consumers – by ensuring that effective PII is in place

RO5 - promote competition in the provision of legal services – by ensuring that competitively priced PII is available and access to the market is not disproportionately inhibited

RO6 - encourage an independent, strong, diverse, and effective legal profession – through affordable PII provision

Financial impact

None arising from this paper.

Diversity and inclusion impact

The consultation will ask whether any of the proposals impacts on diversity and inclusion.

Communications requirements

The consultation on PII reform will need to be promoted heavily and significant resources will need to be put into stakeholder engagement in the process to ensure a good level of response that comprehensively explore the issues.

Publication requirements

This report is not for publication as it contains information relating to policy development and which is intended for future publication.

Adjudication Panel Rules – Proposed Amendments for Consultation

Purpose: For decision

Author: Chief Executive

Summary

This report submits proposals to consult on proposed changes to the current Rules used for Adjudication Panel Procedures to ensure that they are capable of governing a range of constitutional and procedural matters. It seeks approval to amend the constitution of the independent Adjudication Panel by codifying current practice and clarifying its powers.

As the proposed amendments will constitute a change to the CLC's regulatory arrangements, LSB approval will be required.

At its meeting on 22 July 2021, the Council agreed in principle to recruit up to a further two lay members to the Adjudication Panel to assist with the timely empanelment of adjudication hearings.

Recommendations

The Council is invited to agree:

- (1) to consult on the following proposed changes to the Adjudication Panel Rules 2015
 - (a) The addition of definitions relating to the Adjudicator and Adjudication Panel Assistant and to clarify the difference between the Adjudication Panel Chair and a Chair of a panel for a particular hearing or case;
 - (b) Removal of the role of deputy Chair; a role which is not used
 - (c) Increase of the number of members of the Adjudication Panel to provide improved ability to convene Panels and to reflect the removal of the Deputy Chair role.
 - (d) A requirement for the Adjudication Panel Chair to be a Legally Qualified lay person
 - (e) To provide provenance for the Adjudication Panel Chair to delegate.
 - (f) Amendment of the title of the Adjudication Panel Rules to the Adjudication Panel Constitution Rules
- (2) Subject to the outcome of the consultation, to submit application to the Legal Services Board for the amendment of the Adjudication Panel Rules.

Risk management

The functions of the CLC include setting standards to regulate the professional practice, conduct and discipline of licensed conveyancers or other authorised persons and regulated practices.

The Council has delegated the functions of its Discipline and Appeals Committee and the Investigating Committee which have been established by statute to the Adjudication Panel.

Members of the Adjudication Panel need to be appointed in a timely manner, to ensure that adjudication hearings can be convened when required.

Regulatory Objectives

The investigation of allegations of misconduct against licensed practitioners is a core function of the CLC and where appropriate to take disciplinary proceedings before the independently constituted Adjudication Panel to protect and promote the public interest, support the constitutional principal of the rule of law and improve access to justice.

The proposals detailed within this report aim to strengthen the Rules for the Constitution of the Adjudication Panel by clarifying and codifying existing practice and to enhance the ability of the Adjudication Panel Chair to convene panels to determine disciplinary matters referred by the CLC at the earliest opportunity.

Financial impact

At its meeting on 22 July 2021 the Council agreed to recruit up to two further lay members to the Adjudication Panel to assist with the timely empanelment of disciplinary hearings.

Provision for expenditure on recruitment to the Adjudication Panel will be included within the 2022 Budget submission.

Resource for the proposed consultation on amendment of the Adjudication Panel rules can be contained within existing budgets.

Diversity and inclusion impact

The proposals within this report support equal, independent access to justice.

Equality, diversity and inclusion considerations will be taken into account in determining Adjudication Panel membership to ensure that it retains the appropriate balance of skills, experience, independence and knowledge.

Communications requirements

The 12 week consultation will be supported by direct communications with the regulated community and promoted on the CLC's website and through PR channels. We will also hold meetings with key stakeholders to secure feedback and issue a brief questionnaire to gather views on the key points of the consultation.

Recruitment to the Adjudication Panel will be advertised and promoted widely to attract a diverse range of candidates.

Publication requirements

None for the purposes of this report. The report contains information which is intended for future publication.

Compensation Fund arrangements

Purpose: Approval

Author: Director of Finance and Operations

Approver: Chief Executive

Summary

This report includes the background to three Compensation Fund related approvals.

Recommendations

Council is asked to review and approve the following:

1. The proposed amendment to the Compensation Fund Operating framework
2. The process proposed for the review, drafting and determination of Compensation Fund Claims
3. The provision and payment of the shortfall on the Foster Partnership client account.

Risk management

The CLC is following governance arrangements in seeking approval for significant financial commitment and changes to the rules ensuring that proper and reasoned approval is received for actions taken in the management of the Compensation Fund.

Regulatory Objectives

The following regulatory objectives are served by the decisions requested in the paper:

1. protect and promote the public interest
2. protect and promote the interests of consumers

Financial impact

The approval of these requests will result in payments out of the Compensation Fund.

Diversity and inclusion impact

There is no impact on diversity or inclusion.

Communications requirements

There are no communication requirements.

Publication

This report is not for publication as it contains personal information which is confidential.

Education and Ongoing Professional Competency

Purpose	Information
Author:	Deputy Director of Authorisations and New Business
Approver:	Chief Executive

Summary

This report provides updates Council on the CLC's general education activity (itemised below)

1. Development of the Level 2 micro essentials Conveyancing course
2. Level 4 and 6 review
3. Apprenticeship Standards review
4. The SQA approved entre base
5. Recognition of professional qualifications and regulation of professions post Brexit
6. the CLC CPD framework/ongoing competency

Recommendations

Council is asked to note the education update.

Council is also asked to note the intention to discuss ongoing competency at the March 2022 Council workshop.

Risk management

Implications for risk management are detailed within the report.

Financial impact

The Apprenticeship review and CPD framework development will be conducted within existing budgetary provision.

Diversity and inclusion impact

The various CLC routes to qualification have a diverse entry base. Any changes would need to ensure that the position is maintained if not enhanced. The apprenticeship route reaches another demographic and it is useful to have in the education portfolio.

Communications requirements

Any proposed changes to the future CPD framework will be subject to consultation and LSB approval

Publication status

This report is not for publication as it contains information which is: policy in development; intended for future publication.

Published Indicators and Metrics

Purpose: Approval

Author: Director of Finance and Operations

Approver: Chief Executive

Summary

This is a regular report to Council which includes Indicators and metrics for the quarter just ended. Following Council approval this report will be published on the CLC website.

The KPI's will be reviewed during 2022 to determine whether they are still relevant and whether they need to be amended or added to.

With the implementation of the OLC Levy and the focus on complaint handling, we will start tracking metrics relating to complaints referred to the OLC. We expect that these metrics will be added into the Q4 indicators and Metrics report.

Recommendations

Council is asked to review and approve the attached report.

Risk management

The publication of metrics and indicators is one of the ways we demonstrate transparency and good governance.

Regulatory Objectives

The publication of the KPI's support the following regulatory objectives:

1. promote and maintain adherence to the professional principles

Financial impact

There is no direct financial impact.

Diversity and inclusion impact

There is no impact on diversity or inclusion.

Communications requirements

There are no communication requirements.

Publication

The report is published on the CLC website quarterly after Council approval.



CLC Council Meeting

Audit and Risk Committee Chair's Report

Purpose: For Noting and Approval

Chair: Jenny Quirke

Summary

This report summarises the business considered at the Audit and Risk Committee at its meeting on 19 October 2021. (Appendix A).

Draft minutes of the Committee's meeting held on 19 October 2021 are included. (Appendix C)

Recommendations

Council is invited:

- (1) To note the report and to put any questions to the Chair;
- (2) To approve the recommended revisions to the Audit and Risk Committee's Terms of Reference (Appendix B)

Risk management/Financial Impact/and Diversity and Inclusion are considered in all Audit and Risk Committee discussions and decisions.

Communication and publication requirements

The report of the Chair of the Audit and Risk Committee and minutes of the meeting of the Audit and Risk Committee will not be published on the basis that they contain information which is policy under development and intended for future publication and commercially confidential.

Performance Pack Report – Q3 Out-turn

Purpose: Noting

Author: Director of Finance and Operations

Approver: Chief Executive

Summary

This report comprises of the following elements:

- Outturn – Overview of financial performance to 30 September 2021
- Operational performance indicators
- Human Resources
- Complaints against the CLC
- Procurement
- Projects

Recommendations

Council is asked to review and note the paper.

Regulatory Objectives

The publication of the KPI's support the following regulatory objectives:

1. promote and maintain adherence to the professional principles

Risk management

There are no financial or operational issues identified in this report which need to be mitigated.

Financial impact

This paper reports of financial variances and does not in itself generate additional cost.

Diversity and inclusion impact

There is no impact on diversity or inclusion.

Communications requirements

The Audit and Risk Committee considered a version of this report at its meeting on 11 October 2021.

Publication

Not for publication in this form. A summary of indicators and metrics is published quarterly on the website.

PR evaluation report - 1 January – 31 October 2021

Purpose: For noting
Author: Director of Strategy and External Relations
Approver: Chief Executive

Summary

This is the regular report on PR looking back at the first ten months of the year.

Recommendations

Council is asked to note the contents of this report.

Risk management

Communicating our work to protect the consumer, to ensure compliance in the regulated community and to support innovation is vital to managing a range of reputational risks to the CLC.

Regulatory Objectives

The work set out in this report helps the CLC meet the following regulatory objectives:

RO3 - improve access to justice – through Public Legal Education (PLE)

RO4 - protect and promote the interests of consumers – through PLE

RO5 - promote competition in the provision of legal services – through the promotion of innovation and transparency

RO6 - encourage an independent, strong, diverse and effective legal profession – through the promotion of CLC's approach to regulation, CLC qualifications

RO7 - increase public understanding of the citizen's legal rights and duties – through PLE

RO8 - promote and maintain adherence to the professional principles – through promotion of the LCC's regulatory expectations, guidance etc

Financial impact

No impact arising from this report

Diversity and inclusion impact

No impact arising from this report. The promotion of CLC qualifications is intended to support diverse entry to the profession.

Communications requirements

None as a result of this report.

Introduction by Stephen Ward

This is the report on the first ten months of another unusual year. In 2020 we saw very high levels of media coverage as a result of the publication of our *Conveyancing 2030* discussion paper and other content at our annual conference. This year, we generated fewer very newsworthy content – though the new approach to meeting OLC costs may have an impact on that – and have a reduced communications resource following the restructure in Autumn 2020. As a result, the target for articles in the media might not be reached.

Recognising this, we flexed resources during the year, and increased focus on enhancing web content and, since September, boosting our social media effort to enhance direct engagement with stakeholders. The refreshed approach to social media is already paying off, as reported below. Enhanced web content includes resources on mental health and wellbeing as part of our partnership with LawCare, enhanced careers case studies to support promotion of CLC qualifications, case studies on innovation (currently in preparation) and a new consumer guide to probate.

This experience will inform our approach to setting targets for 2022 when we start that planning later this month.

The remainder of this report was written by Black Letter Communications.

Executive summary

This report details the results of PR activity from 1 January to 31 October 2021. Kerry Jack of Black Letter Law will be at the February Council meeting to present the full year report and planning for 2022 aligned with the Business Plan for the year and take questions and comments.

The report reflects the impact of the internal changes in the CLC's communications team, which in turn has altered the focus of the support we provide. While some larger initiatives have successfully launched, such as the inaugural Risk Agenda, there has been a decline in the amount of content generated for media. In part this is because more of our activity than before has been targeted at the regulated community.

The agreed metrics for 2021 are as follows:

- 80 pieces of total annual coverage.
 - 58 pieces achieved so far. This includes piece in *Inside Conveyancing* and *Today's Conveyancer*.
- At least six additional consumer pieces not including *What Mortgage*.
 - Nine pieces have appeared
- Increase in website traffic tied when (a) press releases have been sent and (b) articles and comments have appeared.
 - 15% increase in website traffic, 11% more sessions and 4.5% more page views.
- Change of attitudes/positive mentions of CLC in stakeholder perceptions survey. Longer-term and bi-annual.
 - This is a longer-term aim, which will be monitored in the next stakeholder perceptions survey.
- Two speaking slots at local law society events.

- One slot with Liverpool Law Society was secured which took place in September. However, the other regional law societies we approached were either not running events or felt the content we were suggesting was too similar to other events they have run. A webinar was also secured with *Inside Conveyancing* following the Risk Agenda, examining managing risk in a changing environment.

The CLC has accepted that, in light of the reduced internal resource at the organisation, the above targets were ambitious, and should be revisited for 2022.

2021

In total, 58 pieces of media coverage have been generated during the first 10 months of the year – nearly six pieces a month. This represents a significant decrease on the 145 pieces achieved in 2020; however, a large amount of that coverage derived from the launch of the discussion paper, *Conveyancing 2030*, at the annual conference, and another conference story widely picked up by the attending journalists (James Munro's comments about the prospect of estate agents being mandated regarding referral fees).

Previously, we have disregarded coverage in *Today's Conveyancer* and *Inside Conveyancing* because they tend simply to reproduce industry news. However, we have engaged more proactively with these publications this year due to their specific focus on the sector and on topics of strategic importance to the CLC. For example, PII has been a significant topic for PR this year, and therefore both *Today's Conveyancer* and *Inside Conveyancing* have been key in reaching our target audience.

Due to the pandemic, the annual conference was cancelled. However, as Council will know, we always try to start the year with a 'big ticket' item from which to draw content from throughout the year. This year saw us draft and launch the annual Risk Agenda to focus the regulated community's minds on areas of concern. The Risk Agenda achieved six pieces of coverage. It also provided content for a number of articles, including as an *Inside Conveyancing* special.

If we look by month at the coverage, January and May saw the largest volumes with 16 and 12 pieces respectively.

January's coverage was driven in the main by a press release issued announcing that the CLC intended to push back against the Legal Ombudsman's proposed 19% increase in costs, this was also picked up by *The Times*.

In May, the coverage came from two press releases announcing CLC consultations on insurance cover for cyber events and the practice fees consultation. A second *Inside Conveyancing* special also featured CLC which looked at the difficulties practices were facing during the PII renewal season.

The summer brought with it the usual quiet period, resulting in fewer media opportunities. However, PII continued to be a focus, and as such we arranged for Stephen Ward to have a one-to-one interview with John Hyde, deputy news editor, *Law Society Gazette*, which resulted in a lead news story appearing, which was followed up by other business titles.

In September, we organised an industry roundtable on how the past 18 months have provided the conveyancing industry with challenges like no other. This is the third roundtable we have now

hosted, allowing us to generate fresh content. Participants came from the Land Registry, Thirdfort, reallymoving, Simplify, the Conveyancing Association, Coadjute, Shieldpay, MyHomeMove, Teal Legal, Pexa and Search Acumen.

A press release for media release and an in-depth article for the CLC website have been drafted following the roundtable and will be distributed during November.

A total of 10 press releases and comments have been issued between January and October, the same level as this time last year (see appendix for full list).

Achieving additional consumer coverage continues to be a challenge given the need to produce fresh content. Nonetheless, thanks to an enquiry at the beginning of the year from the *Daily Mail* on fraud to which we gave a fulsome response, a large piece featured in the *Daily Mail* quoting CLC and was subsequently syndicated across eight other titles. Elsewhere, personnel changes at *On the Market* have seen it become less willing to take content from us, something we are currently trying to unblock and *What Mortgage*, due to staff cuts, has halved the number of pieces they take from us each year – down from 12 to six.

We did attempt to create a consumer news story around probate with a Twitter poll examining practitioners' views on what consumers could do to make the probate process run more smoothly. Unfortunately, poll numbers were low and there wasn't a strong enough news hook to catch attention.

If CLC is to achieve national consumer coverage via its own story, we will need to create some new, statistically viable data to garner interest.

Events

One slot with Liverpool Law Society was secured which took place in September. However, the other regional law societies we approached were either not running events or felt the content we were suggesting was too similar to other events they have run. A webinar was also secured with *Inside Conveyancing* following the Risk Agenda, examining managing risk in a changing environment.

Website

Turning to the CLC website, this year we have examined broader, longer-term thought-leadership ideas to demonstrate some of the issues that the regulated community should start thinking about. The first of these was an in-depth review of modern methods of construction, which as well as appearing on the website, has also been used for media articles.

In support of the increased challenges facing the regulated community, we teamed up with legal healthcare charity LawCare and created a dedicated web page of articles to support the regulated community. We also interviewed two CLC-regulated firms to hear about their approach to mental health and wellbeing, which can be viewed [here](#).

In support of conveyancing careers, we are in the process of finalising a fresh round of case studies for the website, designed to inspire a generation of future conveyancers. All five cases studies will go live during November and December.

During this year's roundtable, there was recognition of CLC as a facilitative regulator, which led to a discussion about the need to spread this message further and specifically to what extent it could



help in giving conveyancers the confidence to adopt technology. As a result, we will look to develop this as a theme in 2022. In the meantime, we have reached out to two regulated firms that have embraced technology and are drafting case studies about their approach.

We've also spent some time this year on probate, developing a dedicated resource [guide](#) and a [glossary](#).

As a result, there has been a 15% increase in website traffic compared to 2020, with 11% more sessions and 4.5% more page views.

Social media

Effective from late September, BLC took over responsibility for managing the CLC's social media accounts on Twitter and LinkedIn. Having lain dormant for some time, we are starting to build posts up on Twitter with posts every other working day. Due to the more considered nature of LinkedIn, we are posting at least once a week.

It is early days, but after 28 days, we can report the following metrics:

LinkedIn: 14 new followers (to 4,593) and an average engagement rate of 4.35% (industry average is 0.35% and 2% considered good). The engagement rate is the sum of the number of interactions, clicks, and new followers acquired, divided by the number of impressions the post receives.

Twitter: 16 new followers (to 1,261), tweet impressions (the number of times tweets have appeared on a timeline) up 238% to 4,931 and profile visits up 314% to 2,087.

Results summary

At a glance: Coverage by month

58 pieces of coverage have been achieved over the time period, January and May saw the largest volumes with 16 and 12 pieces respectively.

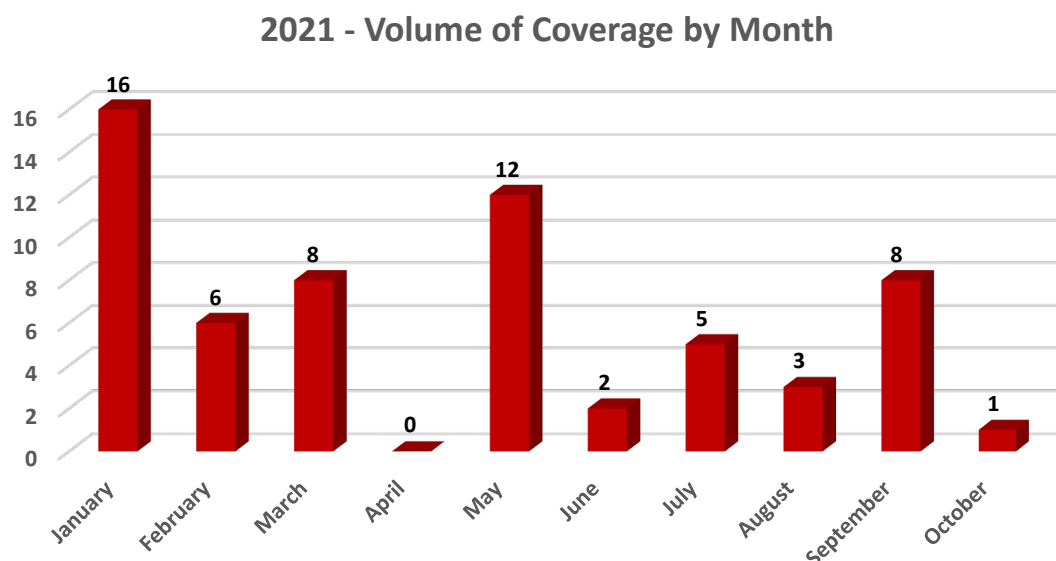


Fig.1 – Coverage by month – excluding Today's Conveyancer & Inside Conveyancing

Appendix A

Press releases issued:

A total of 10 press releases/comments were issued to the media in the time period, with one further press release on the roundtable being drafted and awaiting final sign off before media distribution. Please see below for detailed list.

- *Council for Licensed Conveyancers pushes back against proposed 19% increase in cost of Legal Ombudsman*, release drafted and sent to SW for sign-off on 21/1. Approved and distributed to press 22/1.
- *CLC's first Risk Agenda highlights compliance priorities for firms*, release drafted and sent to client for sign-off on 4/2. Approved 11/2 and distributed to media on 12/2.
- *Council for Licensed Conveyancers urges caution as Stamp Duty deadline approaches*, release drafted and sent to client for sign-off on 9/2. Approved and distributed to media 16/2.
- *Pharming to smishing: What consumers need to know about the latest scams* – release drafted and sent to SW for approval, 23/3. Approved and distributed to press 24/3.
- *CLC insurance terms to be clear on cover for cyber-events*, release drafted and distributed on 10/5.
- *Firms that generate the most complaints to the Legal Ombudsman should bear the cost, says CLC*, release drafted and distributed on 14/5.
- *Regulator launches call for evidence on PII*, release drafted and sent to client for sign-off on 3/6. Approved and distributed to press 15/6.
- *CLC extends deadline on PII call for evidence*, sent to media 30/7.
- *CLC strips out cost of Legal Ombudsman from practice fees and will recharge firms based on complaints numbers* – distributed to press 8/9.
- *Survey: Consumers in the dark over probate* – distributed to press 10/9.
- *'Tech adoption would have taken years' – CLC roundtable highlights how the pandemic forced conveyancing firms to put property tech at the top of their agenda*, release drafted and sent to client on 28/10. Awaiting participants' sign-off on quotes.

Appendix B

Coverage by month:

January 2021: (16 pieces)

Mortgage Finance Gazette: <https://www.mortgagefinancegazette.com/legal-news/conveyancing/work-done-driving-standards-transparency-legal-services-12-01-2021/> (12/1) Also used in weekly newsletter.

This is Money: <https://www.thisismoney.co.uk/money/article-9119515/Homebuyers-warned-stamp-duty-scams-deadline-nears.html> (12/1)

Daily Mail: https://www.dailymail.co.uk/money/article-9119515/Homebuyers-warned-stamp-duty-scams-deadline-nears.html?ns_mchannel=rss&ns_campaign=1490&ito=1490 (12/1)

Money Read Sector: <https://money.readsector.com/2021/01/12/homebuyers-warned-over-stamp-duty-scams-as-deadline-nears/> (12/1)

MSN Money: <https://www.msn.com/en-gb/money/other/homebuyers-warned-over-stamp-duty-scams-as-deadline-nears/ar-BB1cGHll> (13/1)

WhatsNew2Day: <https://whatsnew2day.com/homebuyers-warned-against-stamp-duty-scams-as-the-deadline-approaches/> (13/1)

The US Posts: <https://theusposts.com/homebuyers-warned-over-stamp-duty-scams-as-deadline-nears/> (13/1)

Today Headline: <https://todayheadline.co/homebuyers-warned-over-stamp-duty-scams-as-deadline-nears/> (13/1)

Amed Post: <https://www.amedpost.com/homebuyers-warned-over-stamp-duty-scams-as-deadline-nears/> (13/1)

Association of Costs Lawyers Newsletter:
<https://www.associationofcostslawyers.co.uk/%2fIndustry-News/legal-services-board-commends-clsb-over-performance-improvement> (14/1)

Real Homes: <https://www.realhomes.com/advice/how-to-buy-a-house> (14/1)

What Mortgage: <https://www.whatmortgage.co.uk/news/buying-or-selling-a-home-how-to-find-a-good-conveyancer/> (22/1)

Inside Conveyancing: https://insideconveyancing.co.uk/news/council-for-licensed-conveyancers-pushes-back-against-proposed-19-increase-in-cost-of-legal-ombudsman/?utm_source=rss&utm_medium=rss&utm_campaign=council-for-licensed-conveyancers-pushes-back-against-proposed-19-increase-in-cost-of-legal-ombudsman (22/1)

Today's Conveyancer: [CLC pushes back against proposed 19% increase in cost of Legal Ombudsman | Today's Conveyancer](#) (27/1)

Legal Futures: [LeO "needs external help" to speed up complaints handling - Legal Futures](#) (27/1)

The Times: PDF only (28/1)

February 2021: (6 pieces)

Legal Futures: [LeO "setting itself up to fail" with budget plans - Legal Futures](#) (3/2)

Inside Conveyancing (special feature): [Legal complaints: the challenge ahead, by the Council for Licensed Conveyancers \(insideconveyancing.co.uk\)](#) (9/2)

Inside Conveyancing: [CLC's first Compliance Risk Agenda highlights compliance priorities for firms \(insideconveyancing.co.uk\)](#) (12/2)

Mortgage Finance Gazette: <https://www.mortgagefinancegazette.com/legal-news/conveyancing/clc-publishes-risk-agenda-clarify-firms-compliance-priorities-12-02-2021/> (12/2)

Legal Futures: <https://www.legalfutures.co.uk/latest-news/clc-highlights-compliance-risks-facing-licensed-conveyancers> (15/2)

Today's Conveyancer: [CLC's first Compliance Risk Agenda highlights compliance priorities | Today's Conveyancer](#) (16/2)

March 2021: (8 pieces)

Today's Conveyancer: <https://www.todaysconveyancer.co.uk/main-news/sdlt-cliff-edge-smoothed/> (8/3)

Mortgage Finance Gazette: <https://www.mortgagefinancegazette.com/market-commentary/guarding-growing-threat-money-laundering-10-03-2021/> (10/3)

New Law Journal: [Conveyancing: watch this \(digital\) space \(newlawjournal.co.uk\)](#) (10/3)

Legal 500 – The Practical Lawyer: <https://www.practicallawyer.co.uk/clc-risk-agenda> (11/3)

What Mortgage: [Moving house: Using comparison sites to find a conveyancer \(whatmortgage.co.uk\)](#) (15/3)

Inside Conveyancing: https://insideconveyancing.co.uk/news/access-legal-bridging-the-gap-between-service-and-client-expectation/?utm_source=rss&utm_medium=rss&utm_campaign=access-legal-bridging-the-gap-between-service-and-client-expectation (22/3)

Property Industry Eye: <https://propertyindustryeye.com/the-factors-that-are-to-blame-for-conveyancing-delays/> (29/3)

Inside Conveyancing: [Council for Licensed Conveyancers' Stephen Ward discusses the Risk Agenda \(insideconveyancing.co.uk\)](https://insideconveyancing.co.uk) (30/3)

April 2021:

N/A

May 2021: (12 pieces)

Inside Conveyancing Special: [Special Feature: Stephen Ward discusses Professional Indemnity Insurance - Council for Licensed Conveyancers \(insideconveyancing.co.uk\)](https://insideconveyancing.co.uk) (4/5)

Inside Conveyancing: https://insideconveyancing.co.uk/news/clc-insurance-terms-on-cover-for-cyber-events-to-be-clarified/?utm_source=rss&utm_medium=rss&utm_campaign=clc-insurance-terms-on-cover-for-cyber-events-to-be-clarified (11/5)

Today's Conveyancer: <https://www.todaysconveyancer.co.uk/main-news/clc-launches-cyber-insurance-consultation/> (11/5)

Inside Conveyancing: [Firms that generate the most complaints to the Legal Ombudsman should bear the cost, says CLC \(insideconveyancing.co.uk\)](https://insideconveyancing.co.uk) (14/5)

Legal Futures: <https://www.legalfutures.co.uk/latest-news/clc-to-introduce-polluter-pays-to-cover-cost-of-legal-ombudsman> (17/5)

Today's Conveyancer: <https://www.todaysconveyancer.co.uk/main-news/firms-that-generate-the-most-complaints-to-the-legal-ombudsman-should-bear-the-cost-says-clc/> (17/5)

Mortgage Finance Gazette: <https://www.mortgagefinancegazette.com/legal-news/conveyancing/clc-calls-changes-legal-ombudsman-disribution-17-05-2021/> (17/5)

What Mortgage: [Modular homes: Coming to a town near you \(whatmortgage.co.uk\)](https://whatmortgage.co.uk) (18/5)

New Law Journal: [Firms with complaints could pay more \(newlawjournal.co.uk\)](https://newlawjournal.co.uk) (18/5)

Mortgage Finance Gazette: <https://www.mortgagefinancegazette.com/market-commentary/mmc-revolution-getting-underway-20-05-2021/> (20/5)

Aboutmyarea.co.uk:
<https://www.aboutmyarea.co.uk/Northamptonshire/Towcester/NN12/News/Local-News/332019-Watch-out-for-these-property-scams> (25/5)

Legal Futures: <https://www.legalfutures.co.uk/latest-news/sra-cyber-losses-clause-could-force-firms-to-close> (27/5)

June 2021: (2 pieces)

Insurance Times: [Regulator CLC launches call for evidence on the operation of its Participating Insurers Agreement | Latest News | Insurance Times](#) (15/6)

Legal Futures: <https://www.legalfutures.co.uk/latest-news/licensed-conveyancers-review-insurance-scheme-as-market-hardens> (23/6)

July 2021: (5 pieces)

Inside Conveyancing: [Council for Licensed Conveyancers: The 2021 Personal Indemnity Insurance renewal round \(insideconveyancing.co.uk\)](https://www.insideconveyancing.co.uk/news/council-for-licensed-conveyancers-the-2021-personal-indemnity-insurance-renewal-round) (5/7)

Legal Futures: [Regulator intervenes over concern about "PII market failure" - Legal Futures](https://www.legalfutures.co.uk/latest-news/regulator-intervenes-over-concern-about-pii-market-failure) (5/7)

Today's Conveyancer: [CLC confirms 6 practices close due to PII fiasco | Today's Conveyancer \(todaysconveyancer.co.uk\)](https://www.todaysconveyancer.co.uk/news/clc-confirms-6-practices-close-due-to-pii-fiasco) (5/7)

Today's Conveyancer: [Regulator extends call for evidence on PII | Today's Conveyancer \(todaysconveyancer.co.uk\)](https://www.todaysconveyancer.co.uk/news/regulator-extends-call-for-evidence-on-pii) (30/7)

Inside Conveyancing: [Regulator extends call for evidence on Personal Indemnity Insurance \(insideconveyancing.co.uk\)](https://www.insideconveyancing.co.uk/news/regulator-extends-call-for-evidence-on-personal-indemnity-insurance) (30/7)

August 2021: (3 pieces)

Law Society Gazette: <https://www.lawgazette.co.uk/news/lawyers-being-punished-for-insurers-costs-elsewhere-says-regulator/5109522.article> (16/8)

Business Mayor: <https://www.businessmayor.com/lawyers-being-punished-for-insurers-costs-elsewhere-says-regulator/> (16/8)

Business Fast: <https://www.businessfast.co.uk/lawyers-being-punished-for-insurers-costs-elsewhere-says-regulator/> (16/8)

September 2021: (8 pieces)

Law Society Gazette: [Complained about conveyancers to pay more for ombudsman | News | Law Gazette](https://www.lawgazette.co.uk/news/complained-about-conveyancers-to-pay-more-for-ombudsman) (8/9)

Inside Conveyancing: [CLC strips out cost of Legal Ombudsman from practice fees and will recharge firms based on complaints numbers \(insideconveyancing.co.uk\)](https://www.insideconveyancing.co.uk/news/clc-strips-out-cost-of-legal-ombudsman-from-practice-fees-and-will-recharge-firms-based-on-complaints-numbers) (8/9)

Today's Conveyancer: <https://www.todaysconveyancer.co.uk/main-news/clc-to-re-charge-leo-costs-based-on-performance/> (8/9)

Business Fast: <https://www.businessfast.co.uk/complained-about-conveyancers-to-pay-more-for-ombudsman/> (8/9)

Business Mayor: <https://www.businessmayor.com/complained-about-conveyancers-to-pay-more-for-ombudsman/> (8/9)

Legal Futures: <https://www.legalfutures.co.uk/latest-news/clc-presses-ahead-with-polluter-pays-rule-for-ombudsman-costs> (9/9)



Global Legal Post: [CLC plans for complained-about law firms to pay more for Ombudsman - The Global Legal Post](#) (10/9)

Mortgage Finance Gazette: [Blog: Clarity needed as PII challenges continue \(mortgagefinancegazette.com\)](#) (14/9)

October

What Mortgage: <https://www.whatmortgage.co.uk/feature/moving-online-digital-homebuying-is-here-to-stay/> (4/10)

ENDS

Property and Law Roundup

Purpose: For noting

Author: Director of Strategy and External Relations

Approver: Chief Executive

Summary

The regular round up of key developments affecting the legal services regulated by the CLC. This is a supplement to the weekly reports on the economy and housing market that are circulated to Council Members by the Chief Executive.

Recommendations

The Council is asked to note the contents of this report.

Risk management

Information and insight compiled by the CLC informs the work of the staff and Council to help the management of emerging risks to clients, the public and the legal sector.

Regulatory Objectives

Information and insight on economic, legal and market developments

Financial impact

N/A

Diversity and inclusion impact

N/A

Communications requirements

N/A

Publication status of this paper

This paper is for publication.

Modernisation and digitisation

There is a huge amount of activity aimed at driving faster progress in the modernisation of the conveyancing process in particular and the digitisation of legal services generally.

The CLC's recent round table of industry experts was optimistic about the opportunities for innovation and improvement and there is now an even more concerted effort to delivery change, with more government engagement too:

- HM Land Registry will move to digital-only applications to update the Register, which should drive upstream digitisation in law firms;
- DLUHC is establishing a trial for reservation agreements and is exploring with stakeholders what the key steps are to deliver fundamental change, including whether the government should be mandating particular tools or processes such as the provision of upfront information;
- Upfront information is being trialled through the Home Buying and Selling Group
- A framework for digital identity verification is being piloted with eh ambition of paving the way for a single ID check to meet the needs of the entire conveyancing process
- TechNation's LawTech Regulatory Response Unit is supporting a second cohort of lawtech developers

The CLC is active in all of these groups and initiatives and will shortly publish an update to its Conveyancing 2030 discussion paper in the form of a report on its latest industry round table.

Budget

The recent budget did not contain anything to impact the practice of conveyancing or probate. However, it seems clear that the Chancellor does not think that any further support is needed for the housing market through SDLT relief. Initiatives to increase house building may help to ease price growth and help first time buyers onto the ladder.

Economic outlook

The Institute for Fiscal Studies provided a comprehensive forward look in October, deciding that the UK economy is in the midst of a sharp – but incomplete and wildly imbalanced – recovery.

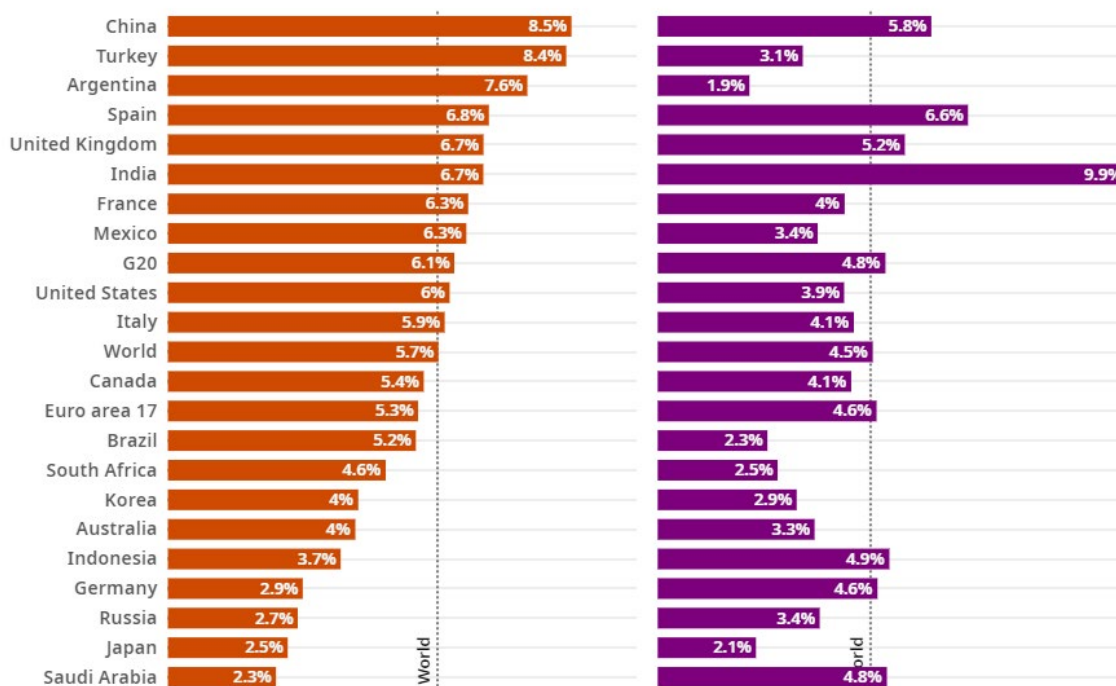
'A better public health outlook, easing restrictions and the extension of fiscal support have all underpinned a faster economic reopening in recent months than was anticipated at the start of the year. However, the UK economy still remains one large recession short of its pre-COVID trajectory. The rebound also remains compositionally narrow –and contorted by sectoral and regional imbalances: demand is exceeding supply in some (widely publicised) areas of the economy but lagging it in many others.

'From here, we expect accumulated household savings to provide only a limited boost to growth. As government support is wound down, firms and households will also feel income effects of the shortfall in activity in aggregate for the first time. We expect a combination of lingering public health concerns, income losses and supply impairments all to drive a further fading of growth momentum over the winter. In our view, a sustained and complete economic recovery remains far from secure.'

The OECD predictions show good global recovery also which could help sustain the UK's housing market activity.

Real GDP growth projections for 2021 and 2022

%, year-on-year



Source: [OECD Economic Outlook, Interim Report September 2021](#)

Housing Market

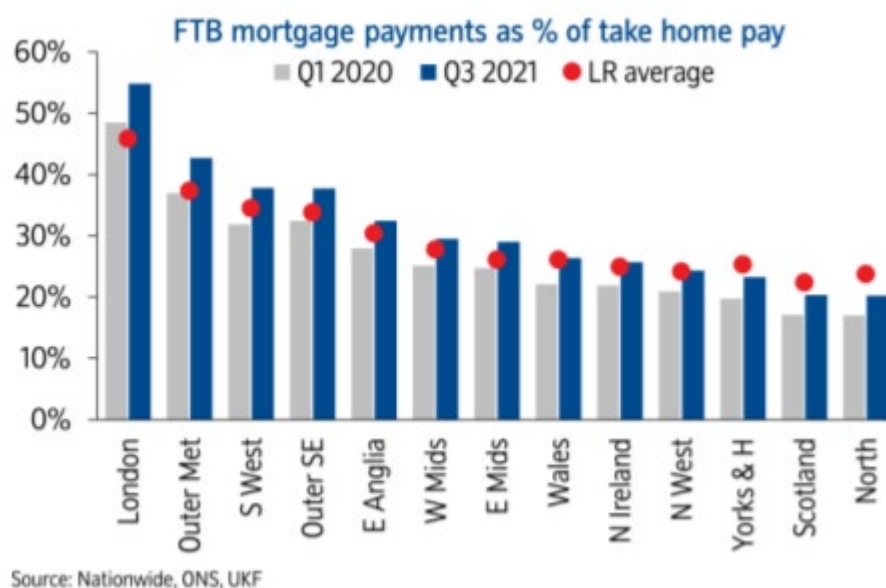
Although the Bank of England did not raise interest rates at its November meeting, it explained that the decision was finely balanced. In the face of inflation expected to reach 5%, a rate increase is expected very soon. This may have a dampening effect on the housing market, but rates will remain low by historical standards. Several lenders have already increased their rates in anticipation.

The latest update from the lender found that average UK property price is now a record £270,027 and that in October annual house price inflation rose to 8.1%, up from 7.4% the month before, after four straight months of increases. In terms of price growth, Wales, Northern Ireland and Scotland continue to outperform the UK average.

Halifax said: "First-time buyers, supported by parental deposits, improved mortgage access and low borrowing costs, have also helped to drive price growth in recent months. First-time buyer annual house price inflation (+9.2%) is now at a five-month high and has pushed ahead of the equivalent measure for home movers (+8.1%).

However, with interest rate increases in prospect, Halifax expect the market to cool slightly but note that rates will still be low. With prices high, getting a deposit together may prove the main obstacle for many buyers

Recently the Nationwide noted that affordability is an increasingly acute issue, looking at First Time Buyers' mortgage repayments as a percentage of take-home pay.



Legal Developments

Undertakings and the Supreme Court Judgment in *Harcus Sinclair LLP -v- Your Lawyers Ltd*

The Supreme Court concluded earlier this year that undertakings given by an incorporated legal practice were not subject to the supervisory jurisdiction of the Court. That is because the jurisdiction applies to individual Officers of the Court.

This has generated a great deal of commentary, but little noticeable disruption to the practice of conveyancing.

Conveyancing in England and Wales of course relies heavily on undertakings between the representatives of buyers and sellers. CLC-regulated lawyers (who are not officers of the court) and legal practices have been providing undertakings since 1985 and SRA-regulated incorporated legal practices for very long time with no systemic problems arising as a result.

This is chiefly because legal practices regulated by the CLC and SRA are obliged by their regulators to comply with undertakings that they give and can be subject to disciplinary action if they do not.

The Supreme Court's words affect confidence in the existing system, but there is no reason to believe that non-compliance with undertakings is an issue in the conveyancing process, even if undertakings are not met occasionally.

After some initial concerns raised by CLC practices, the problems that some feared have not materialised.

Council Work Plan 2021

Purpose	Noting
Author:	Head of Executive Office
Approver:	Chief Executive

Summary

At its meeting on 12 November 2020, the Council reviewed progress against Business Plan activities and agreed to adopt a 3-year rolling approach to Business Plan development.

The current Work Plan for the Council, which includes agreed Business Plan activities is set out at Appendix A.

Recommendations

The Council is invited to note its forthcoming Work Plan.

Risk management

None for the purposes of this report. Risk implications will be discussed within individual reports.

Financial impact

None for the purposes of this report. Financial implications will be discussed within individual reports.

Regulatory Objectives

Where appropriate, the CLC's Regulatory Objectives will be included within individual reports.

Diversity and inclusion impact

None for the purposes of this report. Diversity and inclusion implications will be discussed within individual reports.

Communications requirements

None for the purposes of this report.

Publication status

For publication.

Annual Cycle	11 November 2021 Council meeting Q3 Results	10 February 2022 Council Meeting Q4 Results	20 March 2022 Workshop	24 March 2022 Council meeting Annual Financial Statements	12 May 2022 Council meeting	28 July 2022 Council meeting Q2 Results	29 September 2022 Workshop	10 November 2022 Council meeting Q3 Results	Council Workshop December 2022	Issues for future discussion
Strategy and Planning	Business Plan and Outlook for 2022	2022 Budget 2022 Business Plan 2022 Communications Plan			2022 Business Plan Update	2022 Business Plan Update		2022 Business Plan Update	2023 Business Plan	
Performance and Risk	Management Report <ul style="list-style-type: none">Q3 Performance OutturnInterventions and WatchlistCompensation PlanBusiness Plan 2021 progressProperty News Round UpKey Performance Indicators Principal Risk Register CEO report	Management Report <ul style="list-style-type: none">Q4 Budget OutturnInterventions and WatchlistCompensation fundBusiness Plan 2021 outturnProperty News Round upKey Performance Indicators Principal Risk Register CEO report Risk Management Policy			Management Report <ul style="list-style-type: none">Q1 Budget OutturnInterventions and WatchlistCompensation fundBusiness Plan 2022 ProgressProperty News Round upKey Performance Indicators Principal Risk Register CEO report	Management Report <ul style="list-style-type: none">Q2 Budget OutturnInterventions and WatchlistCompensation fundBusiness Plan 2022 progressProperty News Round upKey Performance Indicators Principal Risk Register Review of KPIs CEO report		Management Report <ul style="list-style-type: none">Q3 Budget OutturnInterventions and WatchlistCompensation fundBusiness Plan 2021 progressProperty News Round upKey Performance Indicators Principal Risk Register CEO report		
Governance	Committee Chair’s reports LSB Regulatory Performance Assessment Impact of LSB Reviews of Bar Standards Board and Faculty Office	Annual Committee Chairs’ reports Non Executive Director Recruitment Review of Publication Scheme and Transparency arrangements		External Auditor’s Report and Management Letter CLC Financial Statements 2021	Committee Chairs’ Reports Practice Fee Setting - Consultation	Committee Chairs’ reports Annual Review of Council Terms of Reference Annual Report – Adjudication Panel Practice Fee Setting		Committee Chairs’ reports		
Regulatory Activity	Compensation Fund Arrangements		Professional Indemnity Insurance		Review of Equality Code Compensation Fund Framework	Regulatory Fee setting Licensing Framework Code of Conduct		Annual Regulatory Return		
Ad Hoc Business Plan Items	Annual Evaluation of Communications Professional Indemnity Insurance Education - Update and look ahead to CPD and ongoing competency		Education and CPD		Annual Review of Education			Annual Evaluation of Communications		