



Standard in development

L4: Legal Technician- Conveyancing and Probate

Title of occupation

Legal Technician- Conveyancing and Probate

UOS reference number

ST1312

Core and options

Yes

Option title/s

conveyancing technician

probate technician

Level of occupation

Level 4

Route

Legal, finance and accounting

Typical duration of apprenticeship

18 months

Target date for approval

31/08/2023

Resubmission

No

Would your proposed apprenticeship standard replace an existing framework?

No

Does professional recognition exist for the occupation?

Yes

Professional recognition

Council for Licenced Conveyancers

Occupation summary

This occupation is found across the legal sector in large and small firms. Whilst probate work is done within private firms, conveyancing activities can take place in public, private and third sector organisations who carry out land and property transactions. Commercial or public sector organisations may offer in-house services or contract out their conveyancing requirements to third parties. For example conveyancing technicians may work in housing associations, local authorities, banks and building societies, property development companies and even rail and air entities.

The legal technician (LT) role supports the work of the firm in one of 2 key areas, conveyancing or wills and probate, both of which are regulated by the Conveyancing Licensing Council (CLC) but not exclusively.

An LT knows the law in their specialist area to a level where they can address routine matters. They also have a broad awareness of other aspects of law that may impact on their day-to-day work

Both conveyancing and probate options require the LT to use their expertise in conveyancing or probate law to engage with clients and other stakeholders. They use their legal knowledge to understand the clients and stakeholder's needs to help them access the right services. The LT uses a range of communication channels and styles to tailor their approach so that whether the client is a member of the public or an experienced lawyer they get the legal information and support that they need in a form that is appropriate to them.

The LT manages their workload under the direct supervision of an Authorised Person, a qualified individual authorised by an approved regulator to carry out reserved legal activities. Working under the supervision of a regulated conveyancing or probate lawyer they may support, but not have responsibility for, dealing with more complex or ambiguous cases. They provide support to colleagues as needed though they do not manage or supervise others.

The LT uses digital tools in their work to manage caseloads and communications. They are expected to maintain the highest personal standards or integrity and professionalism in managing data and privileged information.

An LT has a good knowledge of the law in relation to their specialist area and a broad awareness of other aspects of law that may impact on their day-to-day work. They take an active and professional approach to identifying risks to vulnerable clients and in relation to combating fraud such as money laundering and cybercrime.

The role of a conveyancing technician is to support fee-earning activities within conveyancing such as xxxxxxx. They carry out legal activities based on work defined and agreed by a supervisor. This may include supporting a licensed conveyancer as an Authorised Person. Transactions in residential property and land can be stressful and time sensitive so it is vital that conveyancing technicians can demonstrate empathy with clients under pressure.

The broad purpose of the occupation of conveyancing technician is to support the Authorised Person in dealing with legal matters relating to the transfer of ownership of land

or property from a seller to a buyer. They also carry out work in connection with any transaction that creates, varies, transfers or discharges a legal or equitable interest in any real property. They are flexible in their approach because each property transaction is unique and work closely with clients who are the buyers and sellers of property and often also a lending institution.

The conveyancing technician understands the intent of regulatory arrangements, consumer and lender requirements and escalates or deals with tasks accordingly. The occupation involves managing a range of standard non-complex conveyancing transactions as a fee earner and by supporting the Authorised Person with the management of their case load.

Probate technicians work in a variety of legal teams and settings recognised in the private client industry and deal with a broad range of other professional persons including accountants, banks, tax authorities, trusts and charitable professionals while administering an estate.

The role of a probate technician is to support fee-earning activities within will drafting, legal powers of attorney and probate. This may include supporting a principal probate practitioner. The role is varied as no two estates are the same and given that this is helping clients often at an emotional time, they must be able to demonstrate empathy and understanding.

A probate technician deals with the drafting and administration of wills and the affairs of a deceased person ("estate") and they liaise with their representatives (executors or administrators) to administer the estate in accordance with their will or under the intestacy provisions, (should they have not left a will). They assist others with caseloads of non-inheritance tax and non-complex estates either fully administering the estate or dealing with parts of the process. They understand the requirements and restrictions of working in a regulated environment together with consumer and legal requirements associated with probate matters.

Achieving the apprenticeship will enable you to build a professional career in conveyancing or probate law and work on a range of standard matters.

Typical job titles

Conveyancing paralegal

Conveyancing technician

Private client paralegal

Probate paralegal

Probate technician

Registered conveyancing technician

Registered probate technician

Are there any statutory/regulatory or other typical entry requirements?

No

Core occupation duties

DUTY	KSBS
Duty 1 work closely with 3rd party stakeholders and other professionals to understand their requirements and provide excellent customer service for example: property managing agents, probate lawyers, mortgage brokers, land registry, court of protection	K1 K4 K5 K10 S1 S2 S6 S9 B1 B2 B4 B5
Duty 2 provide ethical legal services ensuring high standards of client care ensuring they are acting in the best interests of the client	K1 K2 K3 K4 K5 K6 K8 K10 K12 S1 S2 S3 S4 S6 S8 S9 S11 S12 B1 B2 B4 B5
Duty 3 provide legal services within professional remit and only under the under the instruction of an Authorised Person	K1 K3 K4 K9 K11 K12 S3 S9 B3 B4
Duty 4 carry out Know Your Client activities to ensure that the appropriate type of legal service is being provided	K14 K15 S13 S14 S15 S16
Duty 5 contribute to the risk assessment of the impact of transactions on clients and other stakeholders to ensure compliance with legislation and professional standards	K2 K3 K4 K10 K11 S1 S2 S3 S5 S7 S8 S9 S10 S12 B1 B2 B3 B4
Duty 6 administer systems to create, maintain and use client and organisation data securely	K4 K6 K7 K8 K9 S1 S2 S5 S7 S9 S11 S12 B1
Duty 7 ensure that all transactions and activities are carried out safely and securely to protect the organisation from threats such as fraud and cybercrime	S14 S16
Duty 8 work closely with senior members of the team to understand their requirements and provide excellent customer service	K4 K5 K11 S2 S5 S9 S10 B1 B2 B3
Duty 9 manage their personal and professional	K1 K3 K6 K8 K9 K11

continuous development

S5 S6 S9

B1 B3 B5

Option duties

conveyancing technician duties

DUTY	KSBS
Duty 10 support senior colleagues in provision of conveyancing legal advice in connection with sale and purchase, re-mortgage or transfers of equity of residential property.	K13 K14 K15 S13 S14 S15 S16
Duty 11 assist senior colleagues in work with clients who are the buyers and sellers of property providing excellent customer service	K13 K14 K15 S13 S14 S15 S16
Duty 12 assist senior colleagues in work with lending institutions to meet their requirements and provide excellent customer service	K13 K14 K15 S13 S14 S15 S16
Duty 13 administer a caseload of property and land transactions to demanding timescales such as freehold, re-mortgages and transfers of equity	K13 K14 K15 S13 S14 S15 S16

probate technician duties

DUTY	KSBS
Duty 14 support the provision of legal advice in connection with Will drafting, Lasting Powers of Attorney and probate activities	K16 K17 K20 S17 S18 S19
Duty 15 Identify potentially vulnerable clients and adapt approach accordingly. Risk assess client's capacity for entering into legal transactions and exposure to undue influence. Escalate concerns to senior colleagues	K16 K17 K18 K20 S17 S18 S19
Duty 16 assist senior colleagues in administering a case load of personal transactions including Will drafting, Lasting Powers of Attorney and probate activities to appropriate timescales ensuring work is progressed efficiently, proportionately and using government online systems where required	K16 K17 K19 K20 S17 S18 S19
Duty 17 assist senior colleagues in organising and identifying all assets contained within the estate including property and digital assets and also conduct research into the nature and content of an estate such as ownership of property using government data sources such as Land Registry	K19 K20 S19

KSBS

Knowledge

K1: fundamentals of legal and regulatory liabilities with regards to the client(s) and business to ensure compliance with all professional obligations

K2: fundamentals of the requirements for acting in the best interest of the client to protect clients and limit liability for negligence such as identifying and acting for vulnerable clients

K3: fundamentals of anti-money laundering regulations in relation to legal transactions including personal and professional liability

K4: fundamentals of the principles of client accounts including the principles of time-recording and fee charging structures

K5: various communication techniques to translate complex concepts, using plain English to explain standard legal terms

K6: principles of digital tools and software such as case management systems, databases and online drafting software

K7: organisational data and information security standards, policies and procedures relevant to data management activities

K8: fundamentals of the legal requirements relating to the use of data including risks to confidentiality of data posed by and to clients actions

K9: fundamentals of organisational vulnerabilities in digital systems including cybersecurity and steps that can be taken to mitigate those risks

K10: principles of best practice for diversity and inclusion when providing services to clients

K11: the activities of the occupation which contribute to their 'professional carbon footprint' and steps that can be taken to reduce it

K12: fundamentals of professional regulatory arrangements for personal compliance with requirements

K13: principles of law applicable to conveyancing in respect of residential property

K14: fundamentals of taxes relevant for conveyancing

K15: approaches to customer engagement and conducting Know Your Customer activity to establish needs and risks within conveyancing activity

K16: principles of law applicable to Will drafting, Lasting Powers of Attorney and probate

K17: fundamentals of taxes relevant for probate activities

K18: principles of establishing legal capacity and identifying potentially vulnerable clients including during drafting of Wills, Lasting Powers of Attorney and administration of estate

K19: principles of reviewing deceased client documents and records including identification and significance of digital assets

K20: principles of drafting Wills and Lasting Powers of Attorney

Skills

S1: manage points of contact with clients and key milestones to lead the client customer experience

S2: assist senior colleagues in administering procedures in the most effective way regarding relationships with other lawyers and professional third parties

S3: assist senior colleagues in the management of clients or consumers and their expectations using the most effective channels and approaches

S4: protect client's interests to ensure they receive an honest and lawful service

S5: organise and administer workflow such as legal files, case management and accounting systems to progress work within service level expectations

S6: use the principles of Law and translate using plain English to provide clarification and explanation of the legal process and standard Legal terms

S7: support service delivery with transparency and within the cost model of the organisation

S8: undertakes "Know Your Client" activities to ensure a clear picture of a client's needs and risks throughout legal transactions

S9: keep up to date with and apply fraud protection measures and cyber security procedures in relation to transactions

S10: assist senior colleagues in the management of risk in relation to legal and regulatory liabilities with regards to the client and business

S11: assist senior colleagues with caseload management to prioritise customer service and work in the client's best interests

S12: adhere to professional, supervisory and regulatory requirements as required by organisational policies and procedures

S13: assist in provision of legal services in connection with sale and purchase, re-mortgage or transfers of equity of residential property including advice and guidance to clients or consumers relevant to conveyancing

S14: assist senior colleagues to assess legal, regulatory and commercial risk related to sale and purchase, re-mortgage or transfers of equity of residential property

S15: review and administer legal documents related to sale and purchase, re-mortgage or transfers of equity of residential property including land registry file documents, statutory declarations and completing documents as required

S16: assist senior colleagues in the drafting of legal documents related to sale and purchase, re-mortgage or transfers of equity of residential property such as land registry transfer forms, undertakings or contract clauses

S17: assist senior colleagues with the assessment of client risk related to Will drafting, Lasting Powers of Attorney and probate activities for example: risks to vulnerable or elderly clients

S18: assist senior colleagues with provision of legal services in connection with administration of an estate including advice and guidance to clients relevant to Will drafting, Lasting Powers of Attorney and probate

S19: assist senior colleagues with the review and administration of legal documents related to Will drafting, Lasting Powers Powers of Attorney and probate including drafting and completing documents as required

Behaviours

B1: Commercial awareness – accountable for fee generating work and the costs incurred to deliver profitable outputs. Takes a broad view of the legal landscape and factors that impact on the market

B2: Client service – provides a timely, efficient and legally correct service to generate a productive and positive client experience. Accountable for managing professional relationships and resolving issues impartially and comprehensively, taking advice where needed

B3: Problem-solving – generate solutions to legal problems, considering a range of options and identifying when to escalate when problems are outside their remit

B4: Risk Aware – takes a critical eye to legal transactions ensuring that the client and business are protected from undue influence, financial crimes and cyber-crime

B5: Professionalism and Integrity – approaches work with professionalism in legal service activities and relationships with others

Qualifications

English and Maths

Apprentices without level 2 English and maths will need to achieve this level prior to taking the End-Point Assessment. For those with an education, health and care plan or a legacy statement, the apprenticeship's English and maths minimum requirement is Entry Level 3. A British Sign Language (BSL) qualification is an alternative to the English qualification for those whose primary language is BSL.

Does the apprenticeship need to include any mandated qualifications in addition to the above-mentioned English and maths qualifications?

No

Professional recognition

This standard aligns with the following professional recognition:

- Council for Licensed Conveyancers for Registration on the CLC legal technician directory Consultation

TO BE COMPLETED

Progression Routes

Supporting uploads

Mandatory qualification uploads

Mandated degree evidence uploads

Professional body confirmation uploads