

## Ongoing Competency Requirements

**Purpose:** Review and approval

**Author:** Deputy Director of Authorisations and New Business

**Approver:** Chief Executive

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### 1. Summary

This report updates Council on the finalised framework for Ongoing Competency for CLC Licence Holders and Practices.

### 2. Recommendations

Council is asked to approve:

1. The Ongoing Competency Framework requirements for CLC Lawyers, in annex A
2. The Ongoing Competency Framework requirements for CLC Practices, in annex B

### 3. Regulatory Objectives

PROMOTE QUALITY IN LEGAL SERVICES:

- The CLC should promote all aspects of improvement in the practice of conveyancing and probate, whether legislative, process change or IT-driven to improve client outcomes.

LSB directive that Regulators should have in place provisions:

- Assess profession-wide levels of competence, identify any key areas of risk, and using that information to design upstream interventions.
- Where individual legal professionals who are failing to meet the standards of competence are identified, taking suitable remedial action in response.

### 4. Risk management

Risks will be managed in the usual way through the operational risk registers. Particular risks associated with these changes are the transitional change from the as is to the new system, the possibility of non-compliance with the new requirements which will necessitate follow up remedial action and raises the possibility of disciplinary action.

There is a dependency on upload of the system to support it which will be an item in the 2025 business plan cycle.

All changes are dependent on approval by the Legal Services Board (LSB).

Failure to make changes to the current system run a high probability of being subject of action by the LSB who have asked all regulators to provide an update on progress on ongoing competency in Spring 2024.

## **5. Financial impact**

Moderate investment will be required to build an add on an external interface to the CLCs existing CRM to host the ongoing competency reporting function. This will be managed with existing internal expertise and resources.

Moderate website development is required to host the external user interface for the reporting mechanism. This can only be costed once the internal CRM functionality has been designed. Expected Q1 2025.

## **6. Communications requirements**

Communication strategies will be required and are being developed for the following audiences.

Legal Services Board  
CLC Practices  
CLC Licence Holders

## **7. Publication requirements**

This paper is for Council only. Following on from Council decision, an update will be published on the website [here](#) and next practice newsletter will contain an update.

Any application to the LSB will be published by them as well as by the CLC as will the outcome of their decision/