

## Publication Scheme

### A guide to the information routinely available from the CLC

#### Policy Review Timetable

Agreed by the Council on 20th February 2025

For review in January 2026

#### What information is routinely made available by the CLC?

The CLC makes a significant amount of information routinely available to the public. This document helps us to operate as transparently as a legal service regulator is able. In the majority of cases, the information that you will be looking for will already be available on our website. If there is further information you want, you can write to us to make a request for information, in line with this policy.

Our core statutory functions and corporate structure are such that some information will not routinely be made available. It may not be appropriate – and, in some cases, it may be misleading – to release information, for example during the development stage of a policy.

Although it is not subject to the Freedom of Information Act, the CLC has adopted the Information Commissioner's Model Publication Scheme. The information that we will routinely make available is grouped under seven 'classes of information':

- who we are and what we do
- what we spend and how we spend it
- what are our priorities and how are we doing
- how we make decisions
- policies and procedures
- lists and registers
- the service we offer.

#### How does the scheme work? Will I be charged for the information?

The information listed in this document is available on our website and in print. You can access information:

1. **On our website** (<https://www.clc-uk.org/>) If the information is available on our website, a link will be provided. There is no charge for such information.
2. **By email** You can email a request to [clc@clc-uk.org](mailto:clc@clc-uk.org), including the words 'publication scheme' in the subject heading. There is no charge for information provided electronically.
3. **By post** If you ask for information that is available on our website to be provided in paper format, it may be necessary to make a charge. For example, if a large amount of photocopying or printing is required, or if the cost of postage of a large volume of paperwork is very high, a charge is more likely to be made. You will be notified in advance of any charges.

#### 4. How up-to-date is the published information?

Most of the information that we make available will be current. However, for certain classes of information, it may be necessary to publish the information retrospectively.

Information will not be made available indefinitely. We are committed to providing the public with as much information as is practicably possible, however, it is important that we provide only relevant and up-to-date information. Therefore we may remove published information from our website to ensure that it is easy to find the most immediately relevant and up to date material. When we do so, the information that has been removed will still be available on request.

#### EXEMPTIONS

Our approach to considering exemptions to our general commitment to openness takes account of general freedom of information practice, the public interest and the principles of good regulation (proportionality, accountability, consistency, transparency, targeting).

The following exemptions will identify particular categories or items of information that should not be published by the CLC. The first three are absolute exemptions. The remainder are qualified exemptions in which case the grounds for the exemption will be tested against our commitment to openness.

##### Absolute Exemptions

- A. **Personal data** – Data within the meaning of Article 4(1) General Data Protection Regulations<sup>1</sup>, other than as permitted by statute (e.g. the requirement at s.19 Administration of Justice Act 1985 for the CLC to keep a register of licensed conveyancers).
- B. **Confidential information** – Information, the disclosure of which would constitute a breach of confidence actionable by the person who provided the information or any other person.
- C. **Prohibited disclosures** – Information the disclosure of which is incompatible with any law or which would constitute or be punishable as contempt of court (e.g. ‘tipping off’ under the Proceeds of Crime Act 2002).

##### Qualified Exemptions

The following exemptions are not absolute. They set out reasons why we are entitled not to make information available. Before they are applied we will consider them against the public and consumer interest in disclosure, our regulatory responsibilities and our commitment to being as open as possible.

- A. **Legal professional privilege** – Information which would be protected by lawyer client privilege
- B. **Trade secrets and commercial interests** – Information the disclosure of which would or would be likely to prejudice the commercial interests of the CLC, an organisation regulated by the CLC or any other person.

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<sup>1</sup> **Personal data** means any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

- C. **Future publication** – Where publication of the information is planned and it is reasonable to withhold the information until the date of publication.
- D. **Investigations and proceedings** – Information the CLC has collected and holds for the purpose of regulatory investigations and proceedings, or any criminal or civil proceedings.
- E. **Regulatory and law enforcement** – Information the disclosure of which would, or may, prejudice regulatory action to be taken by the CLC or law enforcement operations.
- F. **Policy in development** – Information that has been collected and/or is held to support the development of policy, including records of discussion of that policy development, publication of which would inhibit the policy development process.

**Is the information available in other languages?**

Our information is currently available only in English.

**Is the information available in alternative formats?**

When making a request, please let us know how you would like the information communicated to you – and we will do our best to comply. Providing information in alternative formats may take longer than would otherwise be the case.

**Our information**

***Who we are and what we do*** – Organisational information, structures, locations and contacts.

Information	Website links
Roles and responsibilities of the CLC	<a href="#">About us</a> <a href="#">What we do</a>
CLC organisational structure	<a href="#">About us</a> <a href="#">Organisation chart</a> (job roles only)
The CLC's Approach to Procurement	<a href="#">Summary of the CLC's Approach to Procurement</a>
Information relating to the legislation relevant to the CLC's functions	<a href="#">What we do</a>
Lists of and information relating to organisations with which the CLC works in partnership	<a href="#">Legal Services Board</a> <a href="#">Legal Services Consumer Panel</a> <a href="#">Legal Ombudsman</a>

Senior management team (SMT), and Council members	<a href="#">Our Council members</a> <a href="#">Senior management team</a>
Senior management team (SMT), and Council members and key anti-money laundering personnel interests	<a href="#">Register of Interests</a>
The location and contact details for the CLC	<a href="#">Contact us</a>

***What we spend and how we spend it*** – Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit.

Information	Website links
Financial statements, budgets and variance reports	<a href="#">Corporate Documents</a>
Financial audit reports	<a href="#">Corporate Documents</a>
Pay and grading structure	<a href="#">Organisation chart</a> (job roles only)
Internal financial regulations	Summarised in the Annual Financial Statements (see <a href="#">Corporate Documents</a> )
Summary of Members' Expenses	included in the CLC Annual Report in <a href="#">Corporate Documents</a>

***What are our priorities and how are we doing*** – Strategies and plans, performance indicators, audits, inspections and reviews.

Information	Website links
Annual Financial Statement	<a href="#">Corporate Documents</a>
Strategic plan	
Annual business plan	
Annual report	
Data Breaches	Reports on data and document security are made to the Audit and Risk Committee at each of its quarterly meetings and are

	<p>reported on to Council.</p> <p>A public report is included in the CLC Annual Report - available in <a href="#">Corporate Documents</a></p>
Service standards	<p><a href="#">Guidance for CLC Practice Applicants</a></p> <p><a href="#">Transfer to CLC Regulation</a></p> <p><a href="#">Reporting Problems</a></p>

**How we make decisions-** Decision-making processes and records of decisions.

<b>Information</b>	
Background information relating to major policy proposals and decisions	<p><a href="#">About us</a></p> <p><a href="#">What we do</a></p>
Making Decisions	<a href="#">Corporate Governance Framework</a>
Consultations	<p><a href="#">Current consultations</a></p> <p><a href="#">Past consultations</a></p> <p><a href="#">CLC responses to third party consultations</a></p>
Council meetings	<p><a href="#">Council agendas, summary sheets and minutes</a></p> <p><a href="#">Chair’s Report of each formal Council Meeting</a></p> <p><a href="#">Meeting</a></p> <p>Anyone may apply to attend a session of the Council for a specific item or items or to request a full paper that is not already available on the website.</p> <p>You may apply via <a href="mailto:clc@clc-uk.org">clc@clc-uk.org</a></p>

**Regulatory Activity** – our monitoring, enforcement and disciplinary work

Key Performance Indicators	<p>Quarterly reports available on the CLC’s <a href="#">website</a>.</p>
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<p>Enforcement and discipline information <i>See Annex A for detailed publication arrangements for this information</i></p>	<p>Information about forthcoming hearings of the Adjudication Panel</p> <p><a href="#">Enforcement Determination Notices and Adjudication Panel Decisions</a></p> <p>Decisions of the General Regulatory Chamber and Judicial Review findings relevant to the CLC. <i>These will be published alongside AP decisions.</i></p> <p>Routes to enforcement Reports Annual Reports <i>Both available in the <a href="#">Corporate Documents</a> section of the website</i></p> <p>The searchable <a href="#">register on the CLC's website</a> and the Legal Choices page <a href="#">Disciplinary and regulatory records</a> both contain links from entries to disciplinary information about the individual or entity that is published on the CLC website.</p>
<p>Anti-Money Laundering work</p>	<p>Will be published on the Corporate Documents section of the CLC website with effect from reporting on Q1 2024 (to be published in Q2, 2024)</p>

***Our policies and procedures*** - Current written protocols, policies and procedures for delivering services and responsibilities.

Information	Website links
<p>Policies and procedures for making decisions</p>	<p><a href="#">About us</a> <a href="#">CLC Framework Documents</a> <a href="#">Diversity and Inclusion</a></p>
<p>Policies and procedures for the recruitment and employment of staff</p>	<p><a href="#">About us</a> <a href="#">Work with the CLC</a></p>
<p>Customer service</p>	<p><a href="#">Complaints about the CLC</a> <a href="#">Whistleblowing</a></p>

Records management and personal data policies	<a href="#">Privacy policy</a>
Charging regimes and policies	<a href="#">Fees Framework</a>

**Lists and registers** – currently maintained lists and registers.

Information	Website links
CLC registers	<a href="#">Find a CLC Lawyer</a> <a href="#">ABS Register</a> <a href="#">Data for Comparison Websites</a>

### **Datasets**

The CLC publishes datasets related to research.

Research Reports	<a href="#">Research Reports</a>
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**The service we offer** – Information about the services we currently provide, including leaflets, guidance and newsletters produced.

Information	Website links
Regulatory responsibilities	<a href="#">About us</a> <a href="#">What we do CLC Handbook</a> <a href="#">CLC Framework Documents</a> <a href="#">Find a CLC Lawyer</a> <a href="#">ABS Register</a>
Advice and guidance	<a href="#">Resources for Consumers</a> <a href="#">Resources for CLC Lawyers and practices</a> <a href="#">Training as a CLC Lawyer</a>
Media releases	<a href="#">News</a> <a href="#">Reporting</a>

For any further assistance or guidance, please contact [clc@clc-uk.org](mailto:clc@clc-uk.org).

## **Annex A**

### **Publication of decisions of the Adjudication Panel, Enforcement Determination Notices, findings of the General Regulatory Chamber and Judicial Review**

The Adjudication Panel is the independent disciplinary panel for the CLC. It considers allegations against individuals and practices brought by the CLC. It prepares its decisions, which the CLC then publishes on [the CLC's website](#).

The CLC may agree Enforcement Determination Notices (EDN) with Alternative Business Structures (a particular type of legal practice). This type of sanction does not require consideration by the Adjudication Panel. [EDN are published](#) alongside decisions of the Adjudication Panel.

The starting point for publication of information about discipline and enforcement is the well-established principle of open justice. The profession, its clients and potential clients must be able to see the disciplinary process working to have confidence in it.

This is why the CLC publishes information about forthcoming hearings, including the names of entities and individuals facing disciplinary action. This allows anyone to apply to observe hearings and publishes decisions of the Panel and EDN.

The CLC must also make available the decisions of the Panel and the substance of EDN to inform the profession and the public of the outcome of disciplinary actions, sanctions imposed, allegations that are not upheld, or the exoneration of individuals or entities that had been facing disciplinary allegations.

This openness is necessary to foster confidence in the process and helps the profession understand more clearly the expectations of the CLC and the attitude of the Adjudication Panel to breaches of regulation.

#### **Publication of Adjudication Panel Decisions**

Panel decisions are generally subject to appeal, notice of which must be provided within 21 days of the end of the hearing.

Therefore, panel decisions will be published 21 calendar days after a hearing or at the end of any appeal process that takes place.

There is a presumption that Consent Orders (those agreed with the respondent) will be published immediately.

#### **Publication of Enforcement Determination Notices (EDN)**

EDN are agreed by the CLC with the practice that is the subject of the Notice. As such there is no appeal period and so EDN will be published as soon as they have been agreed.

#### **Period of Publication of Disciplinary Decisions of the Panel and of EDN**

If a CLC-regulated entity closes, the CLC's professional indemnity insurance (PII) minimum terms and conditions provide for a six-year run-off period for clients to make claims on the entity's PI policy. The vast majority of claims against an entity are known to emerge within that six year period after closure.



The Council of the CLC has therefore that clients of an entity or individual who has had sanctions imposed on them by the Panel or through an EDN to be able to access that information for six years following the decision. In this way, they will be aware of potentially relevant circumstances as they prepare any complaint or claim.

Therefore, any decision of the Adjudication Panel and any EDN will be published on the CLC website for a minimum of 6 years from the date of the decision (which is regarded as the end of the hearing when the decision was first communicated to the parties) or for the duration of any suspension, disqualification or any other sanction, whichever is longer.

**Decisions of the General Regulatory Chamber, Judicial Reviews**

Decisions of the Adjudication Panel may be appealed to the General Regulatory Chamber. Decisions of the CLC may also be subject to Judicial Review. Such information will also be published by the CLC by way of a link from the CLC website to the original online publication of any such proceedings.