

FACULTY OFFICE  
OF THE  
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Our ref: 126/HJD/NDT/l sb

Mr M Hill  
Chief Executive  
Legal Services Board  
The Rookery (3<sup>rd</sup> floor)  
2 Dyott Street  
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30 January 2020

Dear Matthew

### Regulatory Performance Assessment – 18 December 2019

I write further to the publication of the above to set out the actions we have taken/are taking to address the two outcomes where the Master of the Faculties was assessed as not having met the required standard. The Senior Staff of the Faculty Office met with the lay Chair of the Master's Advisory Board in early January to review the LSB's assessment and this has resulted in our looking critically at the way we are, or might be, perceived by external bodies and individuals and allowed us to acknowledge that a significant change is needed, particularly around our transparency and governance processes.

The actions we set out below will be undertaken to address the LSB's concerns in this regard. We are committed to embedding these changes to our processes.

<b>Outcome</b>	<b>WL3: The regulator is transparent about its own: decision-making; regulatory approach; the risks it and its regulated community faces and how these are being mitigated; performance; regulated community and related markets; financial costs.</b>
<b>Action needed</b>	The Faculty Office to provide a detailed plan explaining what steps it will take, including a timetable, to meet the following actions:  (1) The Faculty Office to ensure it publishes the supporting evidence for regulatory decisions as soon as possible after they are taken. This should

	<p>include the following: evidence considered by the Master when making regulatory decisions; the advice offered by the Advisory board and the rationale behind it; analysis of information on the notarial profession and market that is gathered through work such as the practising certificate renewal process.</p> <p>(2) The Faculty Office to continue to develop the publication of its performance information. This needs to include information on the timeliness of its regulatory processes and performance against key performance indicators.</p> <p>and to ensure that this work is completed by April 2020.</p>
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(1) From January 2020 we will be publishing on the Faculty Office website the following materials:

- Agenda, Minutes and any supporting papers of the Master's meetings with the Officers and senior staff of the Faculty Office. (Note that the agenda and minutes will be split into three parts with parts I and III relating to our ecclesiastical duties and our overseas jurisdictions respectively and part II will cover our domestic regulatory role. Only part II will be published).
- Agenda, Minutes and any supporting papers of the Advisory Board. (Note that any confidential matters will be considered under part II of this meeting and will not be published).
- Statistical information only in respect of the Qualifications Board's consideration of individual Certificates of Exemption (ie the number of Certificates awarded, the number of applications where additional modules were required and the number of applications where further information was sought by the Board in order to make a determination).
- Extracts of the Minutes of the Qualifications Board where relevant to decisions to be taken by the Master in relation to matters not relating to individual applications for Certificates of Exemption.

We will publish the above within three weeks of the relevant meeting where possible.

(2) We have collated and reviewed the existing 2019 data which we hold towards the KPIs set out in our plan of 1 November 2019 in relation to the timeliness of:

- Applications for admission
- Progress of disciplinary cases (using the case review matrix already developed)
- Outcomes from inspections

We will publish the 2019 KPI information on the Faculty Office website before the end of March 2020.

<b>Outcome</b>	<b>WL4: The regulator learns from its own work, stakeholders, the legal sector and other sectors and uses that learning to improve its work.</b>
<b>Action needed</b>	The Faculty Office to explain how the evidence it collects from its "Outreach events", as well as any other engagement it has with its regulated community, consumers, or other stakeholders, has been used to improve its work. Evidence should also be provided on how the examination and qualification regime review, or similar reviews of its work, have improved the Faculty Office's work.

We will update the Outreach Events Schedule to include a "lesson's learned" section which will give a brief precis of the matters covered at the event which were relevant to our work as a regulatory body and this will be published on the Faculty Office website by the end of March 2020.

We will publish the report of the Working Party on the review of the qualification and continuing professional education regime, together with a note of the discussions held at both the Advisory Board and Qualifications Board and the advice given to the Master as part of the matters outlined in WL3 above.

We also acknowledge that publishing the information referred to in both WL3 and WL4 above will only be effective and useful if it is readily accessible on our website. We had already commissioned a review of the Faculty Office website with a view to a radical re-design to improve accessibility and functionality but this will be a longer term project taking much of 2020 to reach a conclusion. In the short-term, we have made adjustments to the notarial pages on our existing website which we hope will make it easier to navigate and thereby enhance the transparency of the office.

With kind regards

Yours sincerely



**Howard Dellar**  
Registrar