



Faculty Office

Website spot check!

Introduction

On 2 December 2019 Rule 14.2 of the Notaries Practice Rules 2019 ("the Rules") came into force. Rule 14.2 requires all notaries publicising their practice via a website to ensure that certain information is readily available to consumers. Notaries must now provide consumers with the following information:

- The basis upon which the notary calculates their fees for their services (**price information**);
- A brief outline of the services the notary provides (both reserved legal activities and other legal activities) setting out the key stages of the work (if more than one) and the normal timescales for each key stage (**service information**);
- The level of insurance which the notary carries under their professional indemnity policy (**redress information**);
- Confirmation that the notary is covered by a formal complaints procedure in the event that a client is dissatisfied with the service provided and an explanation of how to make such a complaint (**complaint information**); and
- Confirmation that the notary is 'Regulated through the Faculty Office of the Archbishop of Canterbury' (**regulatory information**).

In order to determine whether the profession were compliant with this Rule the Faculty Office undertook a desktop investigation of 25 notaries' websites in August 2019, before the Rule came into force. The Faculty Office then revisited these websites in March 2020 after the Rule had come into effect to see whether the notaries concerned had brought their websites into compliance.

The findings

The findings of that investigation were very positive and showed that 80% of the profession sampled had made improvements to their websites in order to comply with the requirements of Rule 14.2. Of the 25 notaries investigated, two had decided to remove their websites. These websites have been excluded from the data set considered below.



Price information

In August 2019 only 13% of the notaries investigated were providing adequate information to consumers regarding the basis of their fees. By March 2020 that figure had increased to 70%. This shows an improvement of 57% following the introduction of Rule 14.2 in December 2019.

Service information

48% of the notaries surveyed in August 2019 were providing consumers with a limited amount of service information. Whilst only 39% of the investigated notaries were considered to be providing consumers with a sufficient level of service information. The remaining 13% of the notaries surveyed in August 2019 were not providing any adequate service information on their websites.

When the notaries were investigated again, following the commencement of the Rules, 65% were considered to be providing sufficient levels of service information to consumers via their websites.

Redress information

Rule 14.2.3 requires a notary to provide consumers with information about the level of insurance the notary carries under their professional indemnity policy.

When the selected notaries were first investigated in August 2019, before the Rules came into force, none of the notaries were providing redress information to consumers on their websites. When the websites were revisited in March 2020 this figure had increased to 70%.

Complaint information

When the notaries' websites were investigated in August 2019, 52% of the websites provided consumers with the necessary complaint information. When these websites were revisited in March 2020 that figure had gone up to 70%.

Regulatory information

Rule 14.2.5 requires notaries to state on their websites that they are regulated by the Faculty Office of the Archbishop of Canterbury.

In August 2019 70% of the notaries investigated provided this information to consumers on their websites. In March 2020, when these websites were revisited following the commencement of the Rules, this figure had risen to 91%.



Conclusion

The Faculty Office is delighted to have seen an improvement across all five headings under the Rules and that over 50% of the notaries investigated were now compliant under each of the five headings. The Faculty Office is particularly pleased to note that 91% of the notaries investigated are now compliant with Rule 14.2.5 and providing important regulatory information to consumers.

Those areas where the notaries investigated were considered to still be non-compliant or only partially compliant will be contacted and asked to update the information on their websites within a given timeframe.

The Faculty Office would encourage all notaries within the profession who are currently operating a website to review the content of their websites to ensure that they are compliant with Rule 14.2 of the Notaries Practice Rules 2019.

The Faculty Office is committed to ensuring that the consumers of notarial services are provided with all the information they need to make an informed choice about the legal services they seek.

The Faculty Office will continue to carry out spot checks on notaries' websites from time to time to monitor compliance with these Rules.