



Minutes of Faculty Office Senior Officers' Meeting

Held on Monday 27 April 2020 at 11:00 via video conference

Attendees: Charles George QC, Master
Howard Dellar, Registrar
Ian Blaney, Deputy Registrar
Neil Turpin, Chief Clerk
Mark Craig, Chairman of Advisory Board
Sue Goss, Accountant
Emily Fellows, Trainee Solicitor

The Minutes of the meeting held on 23 March 2020 had been circulated and were approved.

PART I - Ecclesiastical Matters

PART II – England and Wales Notarial Matters

1. Review of

a) Accounts for 2019/20;

Sue Goss provided a report on the accounts for the year 2019/20. The reserves and contingency fund were reported to be healthy, though there was a decrease in income. It was noted that there had been more appointments than expected in 2019/20. Fewer Notary Information packs had been issued but more Certificates of Exemption. The Inspections expenditure had decreased in 2019/20 and it was agreed that this was also likely for 2020/21.

There was a discussion around the impact the new practice fee bands had on income and whether these should be adjusted for 2020/21. Further discussion was had on the re-allocation of any no longer needed contingency fee for 2020/21.

The impact of Covid-19 on the number of renewals and their turnover in 2020/21 was discussed.

It was agreed that Howard Dellar and Sue Goss would make a report at the next meeting in May 2020.

b) Budgets for 2020/21, 2021/2022 & 2022/23, and

Budgets were discussed at the meeting and it was agreed further discussion was necessary at the next meeting.

c) Provisional determination of Practising Certificate Fee for 2020/21

The Practising Certificate Fee was discussed and it was agreed that further discussion at the next meeting was necessary.

2. Re-appointment of Mark Craig as chair of Advisory Board

The Master approved the appointment of Mark Craig as Chairman of the Advisory Board until 2023. The Master thanked Mark for chairing the Board so well and for agreeing to continue in the role for a further three years.

3. Review of 2020 Priorities

a) Full compliance with the LSB requirements

A response to the letter received from the CEO of the LSB was discussed.

In particular it was noted that the issue of website accessibility was to be resolved by the new website due to go live in the summer.

The possibility of establishing a Quarterly Master's Council meeting was discussed for which Board papers could be prepared and publicised more effectively and an appropriate review of the Risk Register could be undertaken. It was also suggested it be strongly recommended to the next master that he or she continue to meet informally with Senior Staff on a monthly basis.

It was noted that the Risk Assessment & Assurance policy was being revised to be published in the next 14 days. The Internal Risk Register was also being updated as part of a review of risk management within the Faculty Office.

There was a discussion around how best to demonstrate learning from the profession including setting learning "objectives" and demonstrating how outreach events enable the Faculty Office to meet the "objectives".

There was a discussion regarding establishing an Audit Committee to review the finances of the Faculty Office whilst remaining independent. Suitable candidates were suggested. It was agreed these would be contacted in due course. The Master would agree terms of reference for the committee at the next meeting.

It was agreed that Howard Dellar would draft a letter to be sent to the LSB before 1 May 2020.

b) Full compliance with AML obligations

The Faculty Office was conducting a review of the Risk Assurance policy and had published a report on the Risk Assessment Review of the profession. The Faculty Office had also published Covid-19 specific AML guidance on the website.

The Inspections had been disrupted by the Covid-19 lockdown but discussions with the Inspectors was ongoing to try and determine whether distance inspections could be possible.

The Faculty Office believes that it is in full compliance with its AML action plan, with the exception of maintaining in person inspections due to Covid-19.

c) Reducing the notarial deficit in 2020/21

There was further discussion on the effects Covid-19 would have on the notarial deficit in 2020/21. The issue was acknowledged and set to be reviewed in 2021.

d) Efficiency improvements, including the introduction of KPIs

It was reported that KPI data had been published on the Faculty Office website for the KPI areas of Admissions, Inspections and Disciplinary cases. Setting appropriate targets was still outstanding and it was agreed this would be set out in a KPI Briefing paper to be discussed at the next meeting.

e) Decisions following review of qualifications

It was reported that no progress had yet been made on the CPE Rule changes recommended by the Board.

The recommendation that consideration be given to whether Licensed Conveyancers should be added to those professionals not required to hold a degree had not yet been progressed. A report would be made for consideration at the next Qualifications Board on 9 June 2020.

f) Provision of certain work of the Faculty Office through a company

It was reported that the necessary resolutions had been passed and the documents sent to Companies House. Confirmation was still outstanding from Companies House, it was thought due to delays in the postal service due to Covid-19.

The implementation of this work was on track. The Faculty Office was now delivering much of its work through the company.

g) Achieving SI for Practice Authorisation

It was reported that progress on this had stalled. A meeting was being requested with the draftsman but had yet to be arranged.

4. Update on revision of the Code of Practice and any Advisory Board matters

Completion of the Code of Practice had been delayed by workload pressures on the authors particularly due to Covid-19 implications. The authors confirmed that they understood this was one of the Master's top priorities and hoped to have a completed document by May 2020 to go before the Boards in June 2020.

5. Update on Qualifications Board matters, including lay recruitment

Two lay persons had been selected to join the Board making a lay majority of members. The Letters of Appointment would be prepared in advance of the meeting on 9 June 2020.

6. Legal Choices, and the LCGB chair's letter to LSB of 9 April 2020

There was some discussion on the progress of Legal Choices and its benefit to the profession. The Faculty Office reiterated its support for Legal Choices.

7. The Mayson Review

There was some discussion around comments made in an article in a recent issue of *The Notary* and whether the Faculty Office ought to respond. It was agreed clarification should

be sought from the author. It was noted that recommendations from the review were still awaited.

8. Authentication in CPE

The Master welcomed the assurance provided by Elaine Standish that authentication was properly included in the CPE provision and underlined the ramifications of improper authentication.

9. Covid-19 issues:

a) Authentication issues

No request had been made by the Notaries' Society or Scriveners' Society for guidance on authentication and the Faculty Office would respond to a formal request.

b) CPE issues in light of the postponement of the Notaries Society's conference in September

Christopher Vaughan's letter was considered and it was agreed that in light of the CPE provision being made available online and following the consultation and endorsement of the Notaries' Society no changes to CPE requirements would be made. It was agreed that this decision would be published on the website as a news item.

c) Master's Annual Address to the Notaries Society

Following the postponement of the Notaries' Society Conference an alternative means of communicating the Master's Annual Address would be needed. It was noted that this would be an early decision for the new master to make.

d) Exams for 1st year and 2nd year UCL students

UCL had confirmed that online examinations were being prepared in line with the Faculty of Law's best practice.

e) Effect on 2020 intake to UCL

It was reported that the Qualifications Board had agreed that conditional enrolment would be applied to those still awaiting final exam results in September because of delays caused by Covid-19. It was difficult to say how Covid-19 might affect enrolment numbers in September.

10. Disciplinary cases

Re CC, a notary:

A formal complaint was still awaited by the Nominated Notary.

Re GS, a notary:

Confirmation was still awaited from the SRA regarding their suspension as a solicitor.

PART III – Overseas Notarial Matters

11. Any other business

There was none.

12. Date of next meeting

18 May 2020 at updated time of 14:00 via video conference